

1 GEORGE V.

SESSIONAL PAPER No. 36.

A. 1911

REPORT  
OF THE  
DEPARTMENT OF LABOUR  
FOR THE  
FISCAL YEAR ENDING MARCH 31, 1910

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OTTAWA

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1910.

[No. 36—1911]







*To His Excellency the Right Honourable Sir Albert Henry George, Earl Grey,  
G.C.M.G., &c., Governor-General of Canada.*

MAY IT PLEASE YOUR EXCELLENCY :

The undersigned has the Honour to forward to Your Excellency the accompanying Report of the Deputy Minister on the work of the Department of Labour of the Dominion of Canada, for the fiscal year ended March 31, 1910, all of which is respectfully submitted.

W. L. MACKENZIE KING,  
*Minister of Labour.*







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REPORT  
OF THE  
DEPUTY MINISTER OF LABOUR  
FOR THE  
FISCAL YEAR ENDED MARCH 31,  
1910.

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DEPARTMENT OF LABOUR,  
OTTAWA, May 25, 1910.

To the Honourable W. L. MACKENZIE KING, M.P., C.M.G.,  
Minister of Labour.

SIR,

I have the honour to submit a report on the work of the Department of Labour for the fiscal year ending March 31, 1910.

On May 19, 1909, the following bill, introduced in the House of Commons by the Prime Minister, the Right Honourable Sir Wilfrid Laurier, received the royal assent:—

AN ACT RESPECTING THE DEPARTMENT OF LABOUR.

**H**IS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. This Act may be cited as *The Labour Department Act*.
2. There shall be a department of the Government of Canada which shall be called the Department of Labour, over which the Minister of Labour for the time being, appointed by the Governor-General by Commission under the Great Seal, shall preside.
  - (2) The Minister of Labour shall hold office during pleasure, and shall have the management and direction of the department.
  - (3) The salary of the Minister of Labour shall be seven thousand dollars per annum.
3. The Governor-in-Council may also appoint an officer who shall be called the Deputy Minister of Labour, and such officers, clerks and servants as are requisite for the proper conduct of the business of the department, all of whom shall hold office during pleasure.
4. The Minister of Labour shall be charged with the administration of *The Conciliation and Labour Act* and *The Industrial Disputes Investigation Act*, 1907, and with such other duties as may be assigned to him by the Governor-in-Council.



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On June 2, the portfolio of Minister of Labour was assigned to Mr. Mackenzie King, member for North Waterloo, in the House of Commons, and former Deputy Minister of Labour. Up to that date the Department, which was established in 1900, had been administered by a member of His Majesty's Privy Council administering one of the other departments of the Government. For the most part the Minister of Labour heretofore had been the Postmaster-General.

The year has thus been of more than ordinary significance for the Department, circumstances having now for the first time since its establishment permitted its affairs to receive the undivided attention of a Minister, an advantage necessarily of the greatest value in the systematic development of its work. The removal of the Department to more commodious and better equipped premises, a change effected during the summer of 1909, has been a further feature conducive to growth and efficiency.

Economic conditions during the year 1909 were more buoyant than at any time since 1906, when industrial activity and prosperity in Canada reached a higher level than had been before known; the crisis of 1907 caused a slight panic, which had a depressing effect, it will be remembered, throughout a large part of 1908. The spring of 1910 was exceptionally early and has induced an activity which encourages the hope that the favourable conditions of 1909 will be equalled if not surpassed during the present year. A continued rise in the cost of living was a feature of the past year. Rising wages and no serious unemployment were other characteristics. The immigration for the year 1909 was 25 per cent larger than in 1908 and promises for 1910 to reach the high figure of 1907, though there is now a much more rigorous process of selection. The immigration from the United States showed a specially large increase, which is continuing in 1910. The expenditure in railway construction through 1909 was heavy, being estimated at \$28,000,000. Foreign trade showed a large expansion during the year.

The administration of the Industrial Disputes Investigation Act, 1907, has been again a leading feature of the work of the year and there appears to be no reason, in the light of the additional experience gained, to modify in any way the conclusions expressed in previous years as to the general efficacy of the measure in aiding in the adjustment of industrial disputes, with a special view to the prevention of lockouts and strikes. There were 30 disputes referred under the provisions of the Act during the year.

The *Labour Gazette*, the official monthly publication of the Department, has made satisfactory progress during the year. The monthly circulation has now passed into the fifteenth thousand, and the Department is continually in receipt of calls on its stock of extra copies, several hundred of which are printed monthly. While the free list of the *Labour Gazette* is considerable, it must be remembered that it comprises all the labour unions in the Dominion, a copy of the publication being sent free to the Secretary of every labour organization. It may be added that every possible care is taken by watching the trade papers and the general press, and by constant correspondence with the various trade organizations to keep the departmental roster of trade unions accurate and complete. The paid circulation is largely with the business community, with leading representatives of the industrial classes, and with students of social economy; it is an interesting fact in this connection to note that various banking institutions are responsible



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for a total of 1,117 subscriptions, showing an apt appreciation by this important class of the monthly statements and statistics of the *Labour Gazette* relating to industrial and economic conditions.

The general correspondence of the Department has been of wide range and interest, including, apart from departmental routine, communication with numerous notable public bodies, members of governments and distinguished officials in foreign countries, who have as a rule sought information as to the position of Canada with regard to some problem of sociological import, and in this respect the origin and operation of the Industrial Disputes Investigation Act, 1907, continue to occupy a leading place in public interest.

## SPECIAL REPORT ON COST OF LIVING.

The increasing cost of living has been during the year the subject of almost universal discussion. In the United States, boycotts of meat and other articles of food of which the price had risen violently were instituted at many points, and extended in some cases to Canada, though the prices had not as a rule reached the same high level in this country. In the United States various investigations were instituted into the question, the most important being that undertaken by the United States Senate; while inquiries of a comprehensive character were also undertaken by Massachusetts, Ohio and other states of the republic. In Canada the Minister of Labour, recognizing the vital relation to the public welfare of the cost of living, caused an inquiry to be undertaken by the Department into the subject. The task was entrusted to Mr. Robert H. Coats, assistant editor of the *Labour Gazette*, and although at the close of the financial year the report had not been issued, most of the manuscript and charts had been placed in the hands of the printers, and the work relative to the same fell substantially within the past fiscal period.

The report, which is now about to be issued, is a volume of several hundred pages, illustrated with numerous charts in colour and containing detailed information showing the fluctuations in wholesale prices of 230 leading commodities. Nothing of a similar nature having been, it is believed, ever before attempted in Canada, the task entailed researches of an extensive character in the files of the daily newspapers and trade journals for the two past decades, a work carried on almost exclusively by Mr. Coats or by other officers of the Department under his direction. Much of the information necessary for the compilation of the report was procurable only from the records of leading wholesale firms and entailed a large amount of correspondence; the firms concerned evincing as a rule a warm interest in the work in hand, and taking frequently the greatest pains to supply accurate and useful information. The inquiry was undertaken without any desire to prove or disprove any theory or view, commercial or economic, the object being simply that of securing reliable data which may serve in the future as a sound basis for comparisons; no attempt has been made to assign the causes for the price fluctuations.

The information elicited in the report bears not only on the articles consumed by the masses of people from day to day, and entering obviously into what is popularly termed the cost of living, but, striking deep into the economic



life of the people, deals also with products, raw and finished, of almost every conceivable kind; the report is, therefore, of equal interest and value to manufacturer and workman, to the economist and the man of commerce. One important result of this completed inquiry is that it will be for the future possible to gauge accurately the rise and fall of prices in Canada from year to year, as has long been customary in other countries, by means of an index number. This process, of the greatest value to the United Kingdom as practised by the London Economist, and to the United States as practised by the commercial agencies, has been hitherto impracticable in Canada because of the lack of material for comparison on any scale of importance with previous years. This difficulty having been now overcome the fluctuation of prices can be accurately traced henceforth in Canada also, and will be indicated from month to month in the *Labour Gazette* by the use of an index number, after the method used by the institutions above named. The special departmental report on prices will, therefore, prove of permanent and continuous value to the Dominion in an economic sense, while it will appeal also to the average citizen as an authentic statement on the most vital topic of the times.

#### THE COMBINES INVESTIGATION ACT.

Although not strictly entering into the work of the Department for the past year, it will be in place to mention at this point as a matter allied in a measure to that of the cost of living, the Combines Investigation Act, 1910, introduced into the House of Commons by the Minister of Labour during the past session and which became law at the close of Parliament. This measure, which has as its object the prevention of injury to the public from undue restriction of competition and unfair exactions arising out of the business methods and existence of combines, trusts, monopolies or mergers, will be administered by the Department of Labour and may be expected to add materially to the work of the Department during the coming year. The basic principle of the measure is similar to that of the Industrial Disputes Investigation Act, 1907, namely, the providing of machinery to get at the facts and to effect a concentration of public opinion on methods or practices which are inimical to the public weal; this concentration is secured by an investigation before a Board organized and constituted closely on the lines of the measure named, save that in the case of the Combines Investigation Act an investigation can be held only on the order of a Superior Court Judge before whom a preliminary inquiry shall already have taken place; also in the case of the Combines Investigation Act the Chairman of a Board of Investigation must be a judge of a court of record. Several penalties are provided in the event of any evils brought to light by investigation not being definitely and speedily corrected by the process of publicity.

#### INDUSTRIAL DISPUTES.

The departmental records and charts of industrial disputes are prepared for the calendar year, rather than the fiscal, as being in this way of wider service for comparative purposes. The number of disputes during the calendar year



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1909 was 69, identical with that of the year 1908, this figure being greatly lower than in any previous year since these statistics have been recorded in Canada. The statistics show a considerable increase over 1908 in the time lost in trade disputes, this being attributable mainly to the occurrence of several serious strikes in the coal mining industry; one, extending for a period of three months in the late spring affecting numerous mines in eastern British Columbia and southern Alberta, other strikes concerning Nova Scotia mines at Glace Bay and Springhill and continuing from the time of declaration in the summer months to the close of the fiscal year, though operations at Glace Bay, according to the Company's statement ceased to be effective after the close of navigation in November last.

No other important industry was seriously affected by disputes during the year, but at Fort William in the month of August a strike of longshoremen brought about an unfortunate encounter between the strikers and a number of special constables in which several on both sides were wounded. The strike was of brief duration and the difficulty was settled by a board established under the Industrial Disputes Investigation Act, of the existence of which the strikers, who were practically confined to foreigners of limited education, claimed to have been ignorant when they ceased work.

The disputes in the coal mining industry in Nova Scotia and that among the longshoremen at Fort William were, under the Minister's instructions, made the subject of special investigations by the Deputy Minister, abstracts of whose reports on these subjects are included in the present volume.

A dispute of some importance, though not noticeable in a statistical sense, occurred between the fishermen and fish-merchants of Gaspé, resulting in some disorder, the question at issue being the prices paid for fish, which practically resolved itself into a wage dispute. Mr. Victor DuBreuil, one of the fair wages officers of the Department, was, by the Minister's instructions, despatched to Gaspé to inquire into the matter.

An investigation also of considerable interest was that undertaken, by the Minister's direction, by Mr. J. D. McNiven, one of the fair wages officers of the Department, into the rate of wages paid workmen on a section of the Grand Trunk Pacific Railway under construction in western British Columbia. Abstracts of the reports of Messrs. DuBreuil and McNiven are included in the present volume.

## ADMINISTRATION OF THE INDUSTRIAL DISPUTES INVESTIGATION ACT, 1907.

A review of the proceedings of the year under the Industrial Disputes Investigation Act, 1907, is included in the report, as also a statement covering the operations of the Act from its inception three years ago. In the appendix of the volume will be found also the text of each report received from a Board of Conciliation and Investigation during the fiscal year. The total number of disputes referred under the Act during the year was thirty, the total referred during the three years of life of the measure being eighty-two.

The past year was marked by four instances in which the strikes threatened before the provisions of the Act were invoked were not averted. In all cases the industry concerned was that of mining, two of the disputes referring to coal mines in Nova Scotia and two to mines in British Columbia. The question in dispute



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in each instance was that of union recognition, and arose, in the case of the Nova Scotia coal miners, from friction between the Provincial Workmen's Association of Nova Scotia and the United Mine Workers of America, which latter body demanded recognition by different coal companies in the province. In the British Columbia cases the disputes were of a more local and restricted character, but, as stated, turned, in both instances, on union recognition.

It is worthy of special note that the only cases throughout the year in which the Act, when invoked, failed to avert a threatened strike, were disputes of this particular class, where the issue involved is one less susceptible than ordinary matters of difference to the principle of investigation or conciliation, a complete surrender by one party or the other of ideas widely divergent affording apparently the only hope of settlement. It may be added that in the case of the strike by the employees of the Dominion Coal Company, which lasted from early in July, 1909, to the close of April, 1910, the employees finally returned to work substantially under the conditions approved by the Board of Conciliation and Investigation which passed upon the dispute in March, 1909.

The strike among the coal miners of eastern British Columbia and southern Alberta, referred to on a preceding page, was declared without reference to the Act, and contrary to its terms. A Board was eventually established on request of the men and the ultimate settlement was on the general basis recommended by the Board. Here, too, the question of union recognition, or of the degree of recognition to be granted, entered largely into the dispute, though it was less directly the issue than in the Nova Scotia disputes cited.

At Inverness, C.B., also, a strike of coal miners occurred without reference to the Act and contrary to its provisions, the strike in this case being, however, limited in its effectiveness to a few days. Recognition of the union was again the issue involved. One of the officials of the organization controlling and supporting the strike was charged before the local magistrate with an infringement of the Industrial Disputes Investigation Act, and was convicted and fined; the conviction was appealed to the court of appeal of Nova Scotia, and judgment on appeal had not been given at the time of writing.

#### AMENDMENT OF THE INDUSTRIAL DISPUTES INVESTIGATION ACT.

A Bill amending the Industrial Disputes Investigation Act in some minor respects was passed at the session of Parliament lately completed. The amendments had reference to the machinery of procedure and were made in response to representations which had been frequently laid before the Minister by labour organizations, especially organizations including railway workers, upon whom there seemed reason to believe the Act in its original form bore somewhat severely. The point on which the principal amendment bore was that which required the applicants for a Board to make a sworn declaration, when making application, that the necessary authority to declare a strike or lockout had been obtained. It was pointed out that in the case of a body of railway employees, extending through a number of Provinces, as is the case with the great trunk lines of Canada, the taking of a vote over the system became a serious and expensive matter, in some cases involving an expenditure of several thousand dollars. The amendment,



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therefore, simplified the machinery of the Act in this respect by providing an alternative, of which applicants under certain conditions might avail themselves. A further amendment had as its object the placing on the party proposing changes from existing conditions as to wages or hours the onus of making application for a Board when the proposed changes were not accepted by the other party. Under the law as it originally stood the onus of applying for a Board might be allowed to fall upon the party subjected to the changes, and instances were cited before the Minister, and in correspondence with the Department, alleging a certain measure of injustice from the former condition. The only other amendment was one making a slight increase in the fees paid to members of the Board other than the Chairman. A copy of the Act in its amended form is printed with the present report.

## ROYAL COMMISSION ON INDUSTRIAL TRAINING AND TECHNICAL EDUCATION.

A matter which was a subject of action during the late session of Parliament, and may have a bearing of some importance on the future work of the Department, is that of Technical Education. Early in the session Mr. Guthrie, M.P., for South Wellington, moved a resolution urging action by the Dominion Government looking to the establishment by the Dominion Government of a Royal Commission with power to inquire into the whole subject of Technical Education and to make recommendations for subsequent action. The Minister of Labour, replying for the Government, admitted the vast importance of the subject and expressed himself as being in the fullest sympathy with the desire that no opportunity should be neglected of securing for Canada the fullest possible measure of equipment in technical education. The Minister pointed to the necessity in the meantime of bearing well in mind that the subject of education was one which the federal system left in the hands of the provinces, and suggested that before definite action was taken the views of the several provincial governments should be obtained as to the desirability of the Dominion Government appointing a commission which should investigate the needs of the Dominion with respect to technical education and the systems and methods obtaining in other countries, and prepare a report to be placed at the disposition of the authorities of the several provinces. Later in the session the Minister informed the House that he had received from the Prime Ministers of all the provinces letters favourable to the establishment of a royal commission for the purpose indicated. It was determined accordingly to appoint a royal commission on technical education and in the closing days of the session a vote of \$25,000 was taken on account of the commission. The personnel of the commission was announced shortly after the close of the session.

## FAIR WAGES WORK.

The fair wages branch of the Department has during the year prepared 148 schedules of wages relating to contracts affecting all sections of the country, and has conducted a score of special investigations into cases of alleged non-observance by contractors of the labour conditions of different contracts. In the great ma-



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jority of cases investigated, the grievances were sustained and the contractor was required to effect a settlement. It may be added that the total number of fair wages schedules prepared by the Department since this work was commenced in 1900 reached 1,625 at the close of the past financial year. The various departments of the Government have entered heartily into the spirit of the fair wages resolution and the Department of Labour has encountered no unreasonable difficulty in performing this aspect of its work.

## STATISTICAL AND OTHER WORK.

The statistical work of the Department has continued throughout the year. This work, it may be pointed out, becomes increasingly valuable as time passes, and renders the figures of the past available for purposes of comparison. In the important realm of industrial disputes, it should be noted, there is no record, other than that compiled by the Department, which, however, is now available for almost a decade, extending back to the year 1901. It will be obvious that the compilation of statistics of this nature entails much research and correspondence. The disputes are as a rule first brought to the attention of the Department by press references, and each dispute is then carefully watched until it is definitely closed, inquiries from both parties being made systematically and on forms prepared for the purpose, the correspondents of the *Labour Gazette* also being required to investigate disputes when necessary; the utmost regard is paid, both in the compilation and the analysis of the figures, to the question of accuracy.

The growing industrial importance of Canada renders it increasingly desirable that the fullest information should be available as to the cause and nature of all industrial disputes, also as to the duration, manner of settlement, loss of time, and other particulars in each case. By endeavouring to secure this information it is believed the Department is not only performing a service of direct, immediate value to the public, but is itself brought more intimately into touch with the whole subject and is the better enabled to administer the Industrial Disputes Investigation Act, 1907, and to lend its good offices in other ways as occasion may require.

What has been said of the statistics gathered with regard to industrial disputes applies largely also to the figures compiled with regard to industrial accidents, a field of statistical inquiry not comprehensively covered until the work was undertaken some years ago by the Department. The figures now available in this direction must have an important bearing on any proposals looking to legislation on this subject.

It has been already pointed out that the first point of contact between the Department and the events included within the scope of its statistical bureau is the press. It is necessary that researches made for these and other purposes to be really effective should be very thorough and comprehensive, and this branch of departmental work has been therefore very carefully organized. The Department receives 110 daily and weekly newspapers, mostly Canadian, besides all the trade and industrial journals of the country, or relating to trade organizations to which Canadians may belong. All these journals are read and clipped by the Department. Obviously, however, when a clipping system is once established



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and so many sources of information are laid under tribute, it is possible by a slight extension of operation to add greatly to the value of the results achieved. So the clipping bureau of the Department has been extended and developed until it has been made an important factor in building up a great and ever-increasing departmental library embracing every variety of sociology, and the newspapers are read and marked and clipped not only for particulars as to industrial disputes and industrial accidents, but for information as to fires and other interruptions to industry, as to new industries, as to organizations of either employers or employees (the last head embracing trades unions), as to industrial movements generally in Canada or elsewhere, as to social and moral reform, co-operation, profit sharing, technical education, shorter hours, wage reductions or increases, trade agreements, old age pensions, cost of living, as to anything in fact that may have a bearing on the lives of industrial workers. Many such matters become the subject of further inquiry for the purpose of the *Labour Gazette* or otherwise for the use of the Department, and, particularly when it becomes necessary to make any official calculation or statement as to matters first brought to the attention of the Department in this way, no pains are spared in the effort to learn as far as possible the precise circumstances.

## CHANGES IN PERSONNEL OF STAFF.

The principal change in the staff of the Department during the year was the appointment of Mr. E. Vincelette as translator in succession to the late Mr. Phileas Lanctot, deceased. Mr. Vincelette was designated by the Civil Service Commission, to whom under the Civil Service Amendment Act, 1908, application was made for an officer to fill the vacant position.

The estimates for the year 1910-11 contained provision, it may be noted, for an accountant for the Department. Hitherto the Department has been without an accountant of its own, the necessary work in this direction being performed by the accountant of the Post Office Department, who was remunerated accordingly. With the expansion of the Department and particularly since the administration by the Department of the Industrial Disputes Investigation Act, 1907, this arrangement, always necessarily inconvenient, became extremely difficult; the further addition to the work of the Department of the duty of administering the Combines Investigation Act made the appointment of an accountant a matter of immediate necessity. Shortly before the close of the financial year the Civil Service Commission held a competitive examination, as a result of which Mr. E. A. Thomas, who headed the list of successful candidates, was designated for the vacant position and was appointed from April 15 last. Mr. Thomas had had several years' experience in the Department of Agriculture.

Mr. F. W. Giddens, who had been for a number of years in the service of the Department and had acted as secretary to the Deputy Minister was appointed by the Honourable W. L. Mackenzie King as his private secretary shortly after Mr. King's appointment as Minister of Labour.

## CHANGES IN THE STAFF OF CORRESPONDENTS.

The following changes in the staff of correspondents to the *Labour Gazette* occurred during the year, viz.:—



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E. E. Cinq-Mars, to be correspondent for Hull, Que., and district, to replace Rod. Laferrière, deceased.

John Markey, to be correspondent for Woodstock, Ont., and district, to replace M. W. N. McElheran, resigned.

W. B. McNeil, to be correspondent for Regina, Sask., and district, to replace Hugh Peat, resigned.

Edwin Howell, to be correspondent for Calgary, Alta., and district, to replace George Howell, resigned.

J. P. McMurphy, to be correspondent for New Westminster, B.C., and district, to replace D. J. Stewart, resigned.

Mr. George Ritchie, Barrister, Toronto, was appointed Legal Correspondent, filling the position vacated by Mr. E. Douglas Armour, who had been compelled by ill-health to resign during the preceding financial year.



## I.—THE LABOUR GAZETTE.

The *Labour Gazette*, the official journal of the Department, was issued monthly during the past year in both French and English, as previously. In general scope and character the journal was much the same as in preceding years.

Beginning with the January, 1910, issue, an important new feature was added, namely, a table showing retail prices of some thirty leading articles of consumption in the more important centres of population throughout Canada. During the session of the Parliament of Canada, also, a review of the various Bills, Motions, Debates, &c., affecting labour was published from month to month, this being a second new feature of the year.

In the main the contents of each issue of the *Labour Gazette* fall under the three following headings.

I. A comprehensive *review of industrial and labour conditions* throughout the Dominion during the preceding month. This matter is further sub-divided into (a) a general summary covering the Dominion as a whole, this being the opening article of each number; and, (b), a series of reports from the local correspondents of the Department residing in the several cities of the Dominion.

II. *Special articles* embodying the results of investigations conducted by the Department, or having reference to current events of importance.

III. *Statistical and other monthly returns and statements*, including separate articles dealing with immigration and colonization, trade disputes, industrial accidents, recent legal decisions, proceedings under the Industrial Disputes Investigation Act of 1907 with the text of the findings of Boards thereunder, and reviews of blue books and other official publications received by the Department. The text of important industrial agreements received from time to time, and a periodical return of changes in wages and hours of labour may also be included under this heading.

### I.—MONTHLY REVIEW OF INDUSTRIAL AND LABOUR CONDITIONS.

In previous annual reports a detailed description has been given of the scope and plan of the general summary of industrial and labour conditions which constitutes the opening article in each issue of the *Labour Gazette*, as well as of the method in which the material embodied therein is collected by the Department. In like manner the procedure followed by the several correspondents of the *Labour Gazette* in preparing their monthly reports has been fully described. The reader is referred in particular to pages 16 to 18 of the annual report for the financial year ended March 31, 1909, for complete information on these points.

### 2.—SPECIAL ARTICLES.

#### (1) Industrial Disturbances in the Coal Fields of Nova Scotia.

Of the labour disputes of the year, the protracted series of strikes which occurred in the coal fields of Nova Scotia caused a greater amount of loss through



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this cause than any other development of the year, involving as they did several thousands of employees. The disturbances arose primarily out of a struggle between two rival labour organizations, namely, the Provincial Workmen's Association and the United Mine Workers of America, concerning the enrollment of members and the question of recognition by the employing companies. Three strikes resulted from this conflict, namely, among employees of the Dominion Coal Company at Glace Bay, N.S.; among employees of the Inverness Railway & Coal Company at Inverness, N.S., and among the employees of the Cumberland Railway & Coal Company at Springhill, N.S. In two of the above disputes, namely, the first and the third mentioned, the points at issue between the parties had been previously dealt with by Boards appointed under the Industrial Disputes Investigation Act. In recording the proceedings and findings of these Boards the *Labour Gazette*, accordingly, contained a detailed description of the origin and causes of the dispute. In addition, after the declaration on July 6, of the strike at Glace Bay by the United Mine Workers of America, a special article dealing with the immediate circumstances and progress of the dispute was published. In view of the protracted nature of their conflicts and the importance of the matter to the community, a special investigation into conditions in the coal mining industry throughout the Province of Nova Scotia was conducted by Mr. F. A. Acland, Deputy Minister of Labour, by direction of the Honourable the Minister of Labour, during the first half of September. Mr. Acland visited every important centre of the coal mining industry in Nova Scotia and discussed the current situation in its general bearing, with the Managers of the leading collieries, with representatives of the workmen affected, and with prominent citizens in the thirteen cities and towns mostly interested. His report appeared under date of September 25, and was presented by the Honourable the Minister of Labour to Parliament in blue book form in the closing week of November. Opening with a brief statistical survey of the coal mining industry of Nova Scotia, the report reviewed at some length the origin and history of the struggle and the circumstances attending the three strikes then in existence. A comprehensive review of the report containing a reprint of the more important findings was published in the *Labour Gazette* for December, 1909.

## (2) Special Investigation into Wholesale Prices in Canada During the Past Twenty Years.

During the past year a comprehensive investigation was carried out by the Editorial Staff of the *Labour Gazette* into the course of wholesale prices in Canada during the past twenty years, namely, from 1890 up to the end of the year 1909. The results were issued in a special blue book, a detailed review of which is given in a separate chapter of the present volume, showing the purposes and methods of the investigation and the nature of the results which it revealed. Prior to the appearance of this report certain portions of its subject-matter were published in the *Labour Gazette*. Thus, the issue for February, 1910, contained the results of the investigation insofar as prices of animals and meats during the period 1890-1909 were concerned, the complete statistical matter collected by the Department in this case and the charts based thereon being published. Accompanying this



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matter were two special articles of an introductory and interpretive character briefly describing the investigation which had been made and outlining the method in which price statistics would be dealt with in future by the Department. In the March issue of the *Labour Gazette* the results of the investigation into the wholesale prices of grains and fodder were given. For complete details as to these and other phases of the investigation see chapter V of the present report.

**(3) The Combines Investigation Act.**

On January 18, the Honourable the Minister of Labour, moved for leave to introduce Bill No. 101 to provide for the investigation of Combines, Monopolies, Trusts and Mergers which may enhance the price or restrict competition to the detriment of consumers; and in so doing furnished to the House an outline of the proposals contained in the Bill, as well as a brief statement of the reasons which suggested its preparation. The remarks of the Minister were reprinted in the *Labour Gazette* for February, 1910, page 888.

**(4) Commission of Inquiry re Technical Education.**

On January 28, an announcement was made by the Honourable the Minister of Labour in the House of Commons outlining the policy of the Government regarding the appointment of a Commission to investigate the needs of Canada in respect to technical education. The opinion of the Government, he stated, was that in the national interest a Commission on Technical Education should be appointed and that considering the importance of the subject the proposed Commission should have an opportunity of visiting other countries to study the systems and methods of technical education obtaining there.

On December 13, a communication was addressed by the Minister of Labour to the Premiers of the several Provinces in which the latter were asked whether the appointment by the Federal authorities of a Commission on Technical Education would meet with the approval of the Provincial Government, and also whether exception to such a course would be taken on grounds of jurisdiction. The letter of the Minister of Labour in this connection and the replies received from the several provinces were reprinted in the *Labour Gazette* for February, 1910.

**(5) Dispute Among the Fishing Population of Gaspé. -Special Investigation by Fair Wages Officer of Department.**

During the month of September, 1909, a disturbance arose among the fishing population of the peninsula of Gaspé, Que., with reference to the prices paid for fish by the local merchants. The dispute led to rioting among the fishermen and two Government steamers were despatched to the vicinity for the purpose of restoring order. Inasmuch as the industry affected is of importance, and as information with regard to the condition involved was difficult to obtain through the ordinary channels, owing to the extent and remoteness of the territory affected, the Honourable the Minister of Labour instructed Mr. Victor DuBreuil, one of the fair wages officers of the Department, to proceed to the scene of the disturbance in order to make investigation as to the causes and to report thereon to the Depart-



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ment. After an inquiry of some days' duration Mr. DuBreuil presented a written report to the Minister, which was printed in full in the *Labour Gazette* for November, 1909. The report dealt with the nature of the industry, the localities concerned, the character of the population, the causes of the disturbance, involving the price of fish, the profits of local merchants, the use of the "truck" system and the employment of inadequate weighing methods. The report also gave details as to the average earnings of the fishermen and the origin, progress and results of the disturbance.

#### (6) Other Investigations by Fair Wages Officers.

Several investigations were made during the year by the Fair Wages Officers of the Department into complaints of alleged violations of fair wages schedules. A reference to the nature and result of these investigations may be found in special articles in the December, 1909 and February, 1910, issues of the *Labour Gazette*.

#### (7) Wages of Railway Employees, Agricultural Labour and Unskilled Labour.

With the increasing industrial activity which marked the advance of the season of outdoor activity during 1909, there was a considerable increase in the demand for labour in connection with railway construction, farming operations, civic improvements, &c. This was reflected in the wages of these classes, which showed at some points a considerable advance compared with rates prevailing earlier in the season. During the month of October the Department obtained from the correspondents of the *Labour Gazette* a return relating to the rates prevailing in their respective districts for the classes in question. In connection with railway employees information was also sought from the leading contractors engaged in the construction of railways throughout Canada. The material collected in this way was presented (in the *Labour Gazette* for November, 1909, pages 593-599) in a tabular statement in which, in addition to the rates quoted, a column of remarks was included in which the tendency of wages since the opening of the spring in the several localities was noted. It was shown that the general tendency had been upward as a result of the increasing activity of labour accompanying the steady revival of trade and industry.

#### (8) Building Operations in Canada, 1908.

The Department repeated during the opening months of 1909, the investigations made in 1907 and 1908 into the nature and extent of building operations throughout Canada during the preceding calendar year. The article is intended to afford an index of the building activity of the year, and to throw light thereby not only on the amount of employment rendered available to workingmen in the building trades and in the manufacture of building material, but on the general character of industrial development in Canada during the period covered.

One of the most noteworthy features of the seasons of 1906 and 1907 in Canada was the marked activity in building operations. This received a check during 1908, as the result of the financial stringency of the autumn of 1907. As showing the extent of the check, the value of buildings erected in forty-four cities decreased



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from a total of \$56,305,792 in 1907 to \$49,452,238 in 1908. The year 1907, it will be remembered, also showed a decrease compared with 1906 in the principal cities of the Dominion, though to a less extent than that which occurred in 1908.

Altogether the Department secured detailed information with reference to building operations in seventy-three localities in 1908, the return being complete for all localities having a population of 8,000 or over. The total value of buildings erected in these localities was \$51,223,398.

The article contained a detailed statement showing the nature and extent of building operations during 1908 in all of the more important centres of population throughout Canada, this being accompanied by a tabular statement in which the returns were analysed according as they related to new buildings or to alterations or repairs.

(9) Labour Organization in Canada During 1909.

The usual statistical review with reference to the formation and dissolution of labour organizations in Canada during the preceding calendar year was published in the March, 1910, issue of the *Labour Gazette*, page 991. A full list of the unions formed and dissolved was given, with details relating to each based on information collected during the year from the daily press, journals of labour organizations, secretaries of trade unions, correspondents of the *Labour Gazette*, and others.

According to information received by the Department up to the end of February, 1910, the total number of labour organizations formed in Canada during 1909, was 162, and of organizations dissolved, ninety. The following table taken from the article shows by industries and groups of trades the number of labour organizations formed and dissolved in Canada during the past six years:



DEPARTMENT OF LABOUR, CANADA,  
STATISTICAL TABLES, X., A. R., No. 1.

TABLE SHOWING BY INDUSTRIES AND GROUPS OF TRADES, THE NUMBER OF LABOUR ORGANIZATIONS FORMED AND DISSOLVED IN CANADA DURING 1904, 1905, 1906, 1907, 1908 AND 1909.

Industries of Groups of Trades	1904		1905		1906		1907		1908		1909	
	Unions formed.	Unions dissolved.	Unions formed.	Unions dissolved.	Unions formed.	Unions dissolved.	Unions formed.	Unions dissolved.	Unions formed.	Unions dissolved.	Unions formed.	Unions dissolved.
Agriculture...		1										
Fishing.....			5	12		1	1			2		
Lumbering.....						1			1			1
Mining.....	14	4	3	1	7	5	19	2	13	10	25	19
Building.....	35	25	22	13	44	18	41	6	30	27	29	24
Metal.....	25	12	11	13	18	14	43	13	22	10	24	15
Woodworking.....	1	13	54	8	2	2	2	2	1	1	2	1
Printing.....	9	1	12	2	5	3	9	3	13	1	14	1
Clothing.....	20	3	7	4	7	6	8	4	7	8	5	2
Leather.....	1		2	2	3		1	1		1	1	2
Textile.....					11		11	3	1	1	2	2
Food and tobacco pre- paration.....	2	11	7	4	1	1	6		8	5	3	1
Hotel and restaurant employees <sup>1</sup> .....							8		7	5	3	
Railway employees..							51	20	61	16	28	11
Street railway em- ployees <sup>2</sup> ..							2	1	2		1	1
General transport	21	18	18	50	19	18	5		4	1	1	2
Navigation.											4	3
Civic employees...											1	
Miscellaneous.	14	14	6	11	13	13	17	3	20	4	9	3
General labour..	5	7	4	2	4	2	5		2		5	
Trades and labour councils.....	5		2	1	8	2	3		5		3	2
	148	104	103	105	154	85	232	58	196	90	162	90

<sup>1</sup>Included under "Food and Tobacco Preparation" in 1904, 1905 and 1906.  
<sup>2</sup>Included under "General Transport" in 1904, 1905 and 1906.

The article also contains tables showing the number of organizations formed and dissolved according to provinces and months. A table showing the number of charters issued and withdrawn in Canada by the leading international organizations during 1909 is added.

(10. Renewal of Agreement Between Western Coal Operators' Association and Employees.

The agreement concluded in 1907, between the Western Coal Operators' Association and the United Mine Workers of America, covering the majority of the mines in Alberta and Eastern British Columbia came to an end in March 31, 1909. In connection with the renewal of this agreement a cessation of work occurred in some of the mines. The circumstances under which the negotiations for the new agreement were conducted and the suspension of operations took place were described in a special article in the *Labour Gazette* for April, 1909. The August, 1909, issue contained the text of the new agreement as officially ratified between the Western Coal Operators' Association and the employees of the several companies.



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**(11) Co-Operation.**

Several special articles dealing with co-operation were published during the past year. The organization at Hamilton, Ont., of the co-operative Union of Canada was dealt with in the April, 1909, issue of the *Labour Gazette*, the constitution of the Union being reprinted and an outline given of the proceedings of the convention. In the same number a reference appeared to a discussion on co-operation which took place in the House of Commons on March 10. A summary of the first annual report of the Trail Rochdale Co-operative Association of Trail, B.C., was also given. In the issue for July, 1909, a brief report of the annual meeting of the Co-operative Congress of Great Britain was printed. The first semi-annual meeting of the New Westminster Co-operative Association was reported in the September *Gazette*, while the October and November issues contained a complete list of the Co-operative or Peoples' Banks now established in the Province of Quebec, over thirty in number. The annual statement of the Peoples' Bank of Quebec was published in the November issue, which contained in addition articles on the work of the Co-operative Society of Valleyfield, Que., and of the Canadian Co-operative Concern of Hamilton, Ont. In the December issue an experiment in co-operative lobster packing on the Nova Scotia coast was dealt with in a special article. The July, 1909, issue contained a reprint of a paper read before the Twentieth Century Club of Boston on co-operative banking, by Mr. Alphonse Desjardins, President and Manager of the Peoples' Bank of Levis, Canada. The ninth annual report of the bank of which Mr. Desjardins is president was reviewed in the *Labour Gazette* for February, 1909.

**(12) Legislation Affecting Labour.**

The *Labour Gazette* contained during the past year as in previous years a series of reviews of the legislation enacted by the Dominion Parliament and by the Legislatures of the several Provinces during 1909 affecting industrial and labour conditions. Nine special articles were published in this connection.

**(13) Special Reports of Important Meetings of Trades and Labour Congresses, Manufacturers' Associations and Other Public Bodies.**

Special reports were published during the past year of the following meetings: the twenty-fifth annual convention of the Trades and Labour Congress of Canada, held at Quebec, Que., September 20-24; the first annual meeting of the Canadian Federation of Labour, held at Ottawa, Ont., September 28, October 1; the thirtieth annual convention of the Grand Council of the Provincial Workmen's Association, held at Halifax, N.S., September 21-24; the fifth annual meeting of the Fishermen's Union of Nova Scotia, held at Halifax, during September; the forty-second annual congress of the Trades' Unions of Great Britain, held at Ipswich, England, September 6-11; the twenty-ninth annual convention of the American Federation of Labour, held at Toronto, Ont., November 8-20; the thirty-eighth annual convention of the Canadian Manufacturers' Association held at Hamilton, Ont., September 14-17; the eleventh annual meeting of the Canadian



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Mining Institute held at Montreal, Que., March 3-5; the third annual convention of the Union of New Brunswick Municipalities, held at Moncton, N.B., March 10-11; the fourth quinquennial congress of the International Council of Women, held at Toronto, Ont., June 24-30; the twenty-fifth annual convention of the Association of Officials of Bureau of Labour Statistics of America, held at Rochester, N. Y., June 15-18; the twenty-third annual convention of the International Association of Factories' Inspectors, held at Rochester, N. Y., June 15-18; the third annual meeting of the Western Canada Irrigation Company held at Lethbridge, Alta., August 5-6; the Interstate Conference on industrial accidents held at Atlantic City, N. J., July 23-31; the twentieth annual convention of the Canadian Association of Stationary Engineers held at London, Ont., July 27-30; the thirty-fifth annual meeting of the Dominion Grange held at Toronto, Ont., during November; the inaugural meeting of the Canadian Conservation Commission held at Ottawa, Ont., January 18-21; the fifth annual conference on Child Labour held at Chicago, Ill., January, 1909.

Separate reports were also published of interviews held by representatives of the Trades and Labour Congress of Canada and the Canadian Federation of Labour with the Dominion Government for the purpose of presenting resolutions and other views expressed at the meetings of these bodies above referred to. An interview during November of the Legislative Board of the Brotherhood of Railway Trainmen with the Honourable the Minister of Labour was also reported under a separate article in the *Labour Gazette*, as was an interview granted by the Minister to a deputation from the Canadian National Association of Builders, which asked for the application of the Industrial Disputes Investigation Act, 1907, to the building trades. A joint committee representing the Trades and Labour Congress of Canada and the Toronto Trades and Labour Congress had an interview with the Government of Ontario respecting night work for women; this interview was also specially reported in the *Labour Gazette*.

#### (14) Other Special Articles.

The following is an enumeration of the subjects in addition to those above mentioned which were dealt with in special articles in the *Labour Gazette* during the past year:—

1. *Public Ownership of Interior Elevators*.—A statement of the reply of the Interprovincial Council of Farmers' Association of the Prairie Provinces to a joint pronouncement made by the premiers of these provinces during January. (*Labour Gazette*, April, 1909, page 1104).

2. *Factory Inspection in New Brunswick*.—A review of the annual report of the Inspector of Factories for the Province. (*Labour Gazette*, April, 1909, page 1101).

3. *Increases to Employees of Government Railways*.—A statement made by the Honourable the Minister of Railways and Canals in the House of Commons showing the increases granted to the employees, on the Intercolonial Railway system during 1907-1908. (*Labour Gazette*, April, 1909, page 1,117).

4. *Rural Mail Delivery in Canada*.—A review of the regulations issued by the Post Office Department of Canada. (*Labour Gazette*, April, 1909, page 1,118).



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5. *School Savings Bank, St. Louis, Que.*—Financial statement of the *Economie Scolaire de la Ville de St. Louis, Que.* (*Labour Gazette*, April, 1909, page 1118).

6. *Protection of Railway Employees.*—Copy of a regulation issued by the Board of Railway Commissioners with reference to train equipment, qualifications of train crews, &c. (*Labour Gazette*, April, 1909, page 1211).

7. *Progress on National Transcontinental Railway.*—A table dealing with the eastern section of the road was presented to the House of Commons by the Honourable Minister of Railways and Canals during March, 1909. (*Labour Gazette*, April, 1909, page 1122). A similar review dealing with the progress of the entire system was presented by the Minister in February. (*Labour Gazette*, March, 1909, page 1008).

8. *Insurance of Immigrants.*—A notice of an arrangement adopted by the Salvation Army International Immigration Office of London, England, whereby immigrants are insured against loss of luggage, sickness, accident and unemployment. (*Labour Gazette*, April, 1909, page 1134).

9. *Establishment of British Trade Agencies in Canada.*—A reference to the establishment of a system of British trade agencies throughout Canada, with a review of a report by His Majesty's Trade Commissioner of the Dominion of Canada dealing with British trade prospects in Canada. (*Labour Gazette*, May, 1909, page 1247).

10. *Old Age Pension Fund of International Typographical Union.*—A brief descriptive article. (*Labour Gazette*, May, 1909, page 1247).

11. *The Canadian Tobacco Industry.*—Reference to the action of the Department of Agriculture, Canada to encourage the curing and proper treatment of Canadian tobacco. (*Labour Gazette*, June, 1909, page 1341).

12. *Penny Bank of Toronto, Ont.*—A review of the third annual report. (*Labour Gazette*, June, page 1341).

13. *The British Welcome League, Toronto, Ont.*—A review of the second annual report. (*Labour Gazette*, June, 1909, page 1342).

14. *The Provincial Workmen's Association of Nova Scotia.*—A list of the lodges in good standing. (*Labour Gazette*, June, 1909, page 1342).

15. *Toronto Free Employment Bureau.*—A reference to the establishment by the Associated Charities of a bureau as an agency for receiving work for the unemployed during the winter. (*Labour Gazette*, June, 1909, page 1343).

16. *The Massachusetts Bureau of Labour.*—An extension of this, the oldest State Department of Labour on the continent, was carried out in May, 1909. (*Labour Gazette*, June, 1909, page 1344).

17. *Dominion Steel Workers' Mutual Benefit Society.*—A review of the annual report. (*Labour Gazette*, June, 1909, page 1344).

18. *Resuscitation from Apparent Death from Electric Shock.*—Reprint of a circular issued by the Board of Railway Commissioners for Canada giving instructions in the latest methods of resuscitation from the effects of electric shock. (*Labour Gazette*, June, page 1345 and July, 1909, page 111).

19. *Welfare Work of the Lake Carriers' Association of Cleveland, Ohio.*—A description of the action of this Association in providing assembly rooms, funeral expenses, relief, &c., for its members. (*Labour Gazette*, June 1908, page 1353).



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20. *Factory Legislation and Inspection in Canada*.—A list of the Factory Acts of the Dominion and the names and addresses of the inspectors at present on the staffs of each province. (*Labour Gazette*, July, 1909, page 130).

21. *The Montreal Street Railway Company's Mutual Benefit Association*.—A review of the annual statement. (*Labour Gazette*, August, 1909, page 242).

22. *International Arrangement re Deep-sea Fisheries of the British Columbia Sea Coast*.—A description of the action of the Customs Department of Canada to confine in the future the privilege of obtaining bait by the American fishing vessels to those who entitle themselves to the same by bonding their fish from Canadian ports. (*Labour Gazette*, August, 1909, page 243).

23. *Forest Fires in Canada During 1908*.—An estimate by the Department of the Interior of the loss caused by forest fires in Canada during 1908. (*Labour Gazette*, September, 1909, page 326).

24. *Rehabilitation of the Oyster Fisheries of the Maritime Provinces*.—A report of a meeting of representatives appointed by the Governments of the three Maritime Provinces for the purpose of discussing the question. (*Labour Gazette*, October, 1909, page 491).

25. *Welfare Work by the Canadian Pacific Railway Company*.—A detailed description of the Welfare Work undertaken by this Company for the benefit of its employees numbering over 70,000 men. (*Labour Gazette*, October, 1909, page 488).

26. *Canadian Government Annuities Act, 1908*.—An address on the Act by the Superintendent of Annuities. (*Labour Gazette*, October, 1909, page 483).

27. *Canadian Peace Arbitration Society*.—An article dealing with the steps taken to organize the society and to circulate a petition in memory of the Century of Peace between Canada and the United States. (*Labour Gazette*, October 1909, page 480).

28. *Mining Disaster at Extension, B.C.*—A report of a disaster by which thirty-two miners lost their lives by an explosion in the coal mines at Extension, B.C. (*Labour Gazette*, November, 1909, page 600).

29. *Ontario Milk Commission*.—A report of the proceedings of the Commission appointed by the Government of Ontario to investigate the milk supply of the Province. (*Labour Gazette*, 1909, page 584).

30. *The Canadian Export Bureau*.—A statement with reference to an index of Canadian manufacturers, exporters and producers being compiled by the Department of Trade and Commerce, Canada. (*Labour Gazette*, November, 1909, page 580).

31. *Government Chilling and Packing Plants in Alberta*.—A statement descriptive of the situation following the presentation of a report by a committee appointed by the Government of Alberta to report upon and investigate this matter. (*Labour Gazette*, November, 1909, page 583).

32. *Civic Federation of London, Ont.*—Report of action taken at London, Ont., looking to the formation of a civic federation. (*Labour Gazette*, December, 1909, page 693 and March, 1910, page 1010).

33. *The Railroad Young Men's Christian Association*.—A description of the work of this organization throughout Canada. (*Labour Gazette*, January, 1910, page 811).



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34. *Pension Fund for Employees of the Michigan Central Railway Company.*—A review of pension arrangements which went into effect on January 1, 1910. (*Labour Gazette*, February, 1910, page 914).

35. *The Edward Medal.*—A reference to the extension by His late Majesty, King Edward VII., of the scope of the Edward medal so as to admit of its being awarded to those who in the course of any industrial employment endanger their lives in saving or endeavouring to save the lives of others from perils in connection with such employment. (*Labour Gazette*, March, 1910, page 1068).

36. *Dominion Coal Company, Limited, Employees relief Fund, Reserve Branch.*—The fourteenth annual statement. (*Labour Gazette*, April, 1909, page 1118).

37. *Dispute in the Boot and Shoe Trade, Quebec, Que.*—An account of the settlement of a number of differences by the formation of a joint conciliation Board to which all matters in dispute, present or future, are to be referred. (*Labour Gazette*, December, 1909, page 900).

## (15) Special Reviews.

Several publications received at the Department were reviewed in special articles as being of particular interest to industry and labour. The following publications were reviewed in this way:—

1. The ninth annual report of the Department of Labour, describing the work of the Department during the fiscal year ended March 31, 1909.

2. An exhaustive report by a special Labour Commissioner of the State of California on the subject of remedies for strikes and lockouts, recommending the enactment of a law following closely the lines of the Canadian Industrial Disputes Investigation Act, 1907.

3. The report of the Nova Scotia Commission on hours of labour. A progress report of this Commission was also reviewed.

4. A booklet issued by the Superintendent of Government Annuities, descriptive of the plan whereby employees may be insured by employers under the Canadian Government annuities system.

5. The report of the Royal Commission on the Poor Laws of the United Kingdom, dealing with the administration of the Poor Law, the Unemployed Workmen Act and the Old Age Pensions Act.

6. The Year Book, 1909, of the Builders' Exchange of Montreal.

7. A bulletin issued by the Department of Mines, Canada, dealing with the peat bogs and peat industry of Canada, by Erik Nylstom.

8. A special report of the Department of Mines, Canada, dealing with the iron ores of Nova Scotia, by Dr. J. E. Woodman.

9. The report of the British Board of Trade on strikes and lockouts and the proceedings of Conciliation Boards in Great Britain during 1908.

10. A report on public health and social conditions in Great Britain by the Local Government Board of the United Kingdom.

11. An estimate by Mr. J. B. Challies, C.E., of the Department of the Interior, Canada, on the water powers of Canada, prepared for the purpose of the North American Conservation Conference.



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12. Report of the Royal Commission of Great Britain on the administration of Poor Laws and the Relief of distress.

13. Report by Mr. Cyril Jackson on Boy Labour in Great Britain, being an appendix to the report of the Royal Commission on the Poor Laws and the relief of distress in the United Kingdom.

14. Sixteenth report of the Labour Department of Great Britain on trade disputes.

15. Report of an investigation conducted by the British Board of Trade into the cost of living in French towns.

16. Report by the British Board of Trade on the earnings and hours of labour of workpeople in the textile trades of the United Kingdom during the year 1906.

17. Report of the United States Commissioner of Corporations on the history and development of the tobacco industry in the United States.

18. Report on the binder twine industry of Canada, by Mr. J. L. Haycock, Dominion Inspector of Binder Twine.

19. Bulletin issued by the Census and Statistics Office of the Department of Agriculture, Canada, dealing with the beet sugar industry of Canada.

20. Report of a Departmental Committee appointed by the Home Office of Great Britain to inquire into the operation of the Truck Act.

21. Report of the Board of Trade, Great Britain, upon matters connected with the establishment and working of Railway Conciliation Boards.

22. Report of a Royal Commission appointed by the Government of the Province of Quebec under a special statute passed in 1907, to inquire into the question of responsibility in connection with accidents to workmen.

23. Report of the Commission of inquiry into the use of opium in the Straits Settlement and the Federated Malay States.

24. Report of a special officer of the Department of Customs of Canada on the woollen industry in Great Britain.

### III.—STATISTICAL AND OTHER PERIODICAL RETURNS AND STATEMENTS.

#### 1. Changes in Rates of Wages and Hours of Labour.

Departmental arrangements for securing the publication of a detailed statistical report of current changes in wages and hours of labour throughout Canada were continued during the past year. A brief reference was made in each issue of the *Gazette* to the more important changes of the preceding month, the final statistical analysis being reserved for treatment in special articles.

Wages during the first six months of 1909 were for the most part stationary throughout Canada. During the opening months of the year, there was a tendency in certain branches towards lower levels, though the rates of the preceding winter were, on the whole, maintained. On the opening of activity in the spring, the schedules for 1908 for skilled labour were, for the most part, renewed, but unskilled labour in the railway construction camps and elsewhere started on lower rates than had prevailed in the autumn of 1908. River drivers in the Ottawa valley obtained a higher rate than in the preceding year. As the season advanced, however, and the increase in general industrial activity became pronounced, the wages of employees in several branches, chiefly among unskilled



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labourers and railway construction employees, showed a strong upward tendency. Among railway operatives, also, the upward tendency which characterized the wages of these classes in 1897 and 1898 was maintained. Civic employees and various skilled trades, including the building, metal and woodworking trades, reported wages firm to upward, but with very few important changes except in the printing trades where improved conditions with respect to wages and hours were secured in several localities. The increased activity of manufacturing had completely arrested the downward tendency in wages which was marked in 1908.<sup>1</sup>

## 2. Immigration and Colonization.

Publication was continued of the latest statistical information available from month to month with regard to immigration and colonization, the materials for the article being obtained from the Department of the Interior under an arrangement first completed in 1904. The returns published in the article relate to immigrant arrivals, the number of homestead entries made, the nationality of homesteaders and the area of Dominion lands patented. Certain statistical information issued monthly by the Board of Trade of Great Britain with reference to emigration from Great Britain to British North America, is also reviewed monthly, together with a return of land sales of certain companies operating in Canada.

During the calendar year 1909, a total of 184,281 immigrants entered Canada. This shows a considerable gain compared with 1908 when the total was 148,700, the increase being made up almost entirely in arrivals from the United States. The year however, was still considerably below 1907, the most active immigration year reported in Canada, when the number of immigrants was 277,376, being an increase of about 22 per cent as compared with the returns of 1906.

Homestead entries during 1909 totalled 37,061, compared with 38,559 in the preceding year.

By an Order-in-Council the head tax of \$500 on Chinese wishing to come into Canada to take up higher branches of study was removed during May, 1909, so as to permit of *bona fides* students to come and go freely on proof of good faith.<sup>2</sup>

## 3. Industrial Accidents.

The record of industrial accidents, begun some years ago in the *Labour Gazette*, was continued during the past year, the form of the monthly article and the method in which the materials were collected being unchanged from preceding years.<sup>3</sup> An analysis of the record of accidents, both fatal and non-fatal, is published as a separate chapter of the present volume.

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<sup>1</sup>A table showing the rates for farm hands, railway construction employees and unskilled labour throughout Canada was published in the *Labour Gazette* for November, 1909, pages 594-6. From detailed statements with regard to wages' changes uring 1909, see the *Labour Gazette* for September, 1909, page 363, and for March, 1910 page 1046.

<sup>2</sup>A reference to the Order-in-Council is published in the *Labour Gazette* for June 1909, page 1357.

<sup>3</sup>For a description of the manner in which this material is presented, see the annual report of the Department of Labour for the fiscal year ending March 31, 1909, page 42.



#### 4. Trade Disputes.

Similarly, the monthly article dealing in detail with strikes and lockouts throughout the Dominion has been continued, the form and scope of the article being unchanged. The main feature of the article is a statistical table giving full details with regard to every strike occurring in Canada, classified in a form convenient for reference, and accompanied by a descriptive article and tabular analysis in which the disputes are shown according to trades, provinces, causes, methods of settlement and results, together with an estimate of the approximate number of workmen affected and the aggregate loss of time in working days.

In the January, 1910, issue of the *Labour Gazette* (page 796) a review was published of the trade disputes occurring during the calendar year 1909. The total number of strikes and lockouts in existence in Canada during 1909 was sixty-nine, the same number as in 1908, but much less than in any previous year of which the Department has a record. There was, however, a considerable increase in the loss of time to employees caused by trade disputes, as a result of the strikes among coal miners in Nova Scotia, Alberta and eastern British Columbia, which deprived a large number of miners of work for several months. There were approximately 17,881 employees involved directly and indirectly in trade disputes in 1909, compared with approximately 26,232 in 1908. The loss of time in working days was approximately 842,275 in 1909, compared with approximately 718,443 in 1908. In 1907 there were 34,694 employees involved in trade disputes and the loss of time in working days was 603,986.

#### 5. Retail Prices of Staple Articles of Consumption.

With the January, 1910, issue of the *Labour Gazette*, publication was begun of a monthly table of retail prices of staple articles of consumption throughout Canada. For some time previous, the opening article of each issue contained a paragraph in which reference was made to fluctuations in prices both in reflecting current industrial conditions and as bearing on the cost of living. In accordance with the decision of the Department to deal in future in a more comprehensive and systematic way with the subject of prices, wholesale and retail prices will be given separate treatment, the former being regraded as especially indicating industrial and trade sentiment and the latter as more directly reflecting the cost of living to the individual. The manner in which the statistics regarding wholesale prices will be presented is described in detail elsewhere in the present report.

With regard to retail prices, the table which now forms a feature of each issue is designed to show the prices prevailing on or about the fifteenth day of each month of the commodities entering chiefly into the cost of living. As these prices vary to a degree according to local conditions, separate statistics are given for nearly all localities having a population of 10,000 and upward throughout Canada, the information being furnished by the correspondents to the *Labour Gazette* under detailed instructions as to sources of information, quality of goods to be quoted, etc. The list of commodities consists of twenty-eight varieties of food, with fuel and coal oil. A statement is added in each case of the rental of a representative workingman's dwelling of the better class in the quarter most



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occupied by workingmen. The exact quality for which quotations are given is set forth in the table for each commodity and every care has been taken to ensure that the quotations refer throughout to the same class of commodity, in order that the statistics may be available for purposes of comparison. It is the intention of the Department to analyse these statistics as a way to show fluctuations in the cost of living throughout the Dominion as a whole, as well as the comparative cost of living in different centres.

### 6. Recent Industrial Agreements.

Since the year 1906 the Department has published from time to time in the *Labour Gazette* the text of the more important agreements concluded between employers and employees in the different trades throughout Canada; this practice was continued during the past year. Agreements effected under the Industrial Disputes Investigation Act, 1907, and published in the *Labour Gazette*, are referred to in the portion of this report dealing with the administration of the Act. Other agreements published in the *Labour Gazette* during the year were as follows:—

1. Agreement between the Hamilton Street Railway Company and its employees.
2. Agreement between the Master Builders' Association of Hamilton, Ont., and the Bricklayers and Masons' Union, No. 1, of Hamilton.
3. The tariff governing the wages of boatmen at Quebec, Que., during the season of 1909.
4. Agreement between the Master Builders' Exchange of Edmonton and the Bricklayers' International Union of Edmonton, Alta.
5. Agreement between the Employing Printers of Ottawa and Ottawa, Ont., Typographical Union, No. 102.
6. Agreement affecting the wages of printers at Hamilton, Ont.
7. Agreement between the shipping companies of Montreal, Que., and the longshoremen of that Port for the season of 1909.
8. Agreement between the Builders' Exchange of the County of Waterloo, Ont., and the Bricklayers, Masons and Plasterers' Unions at Berlin, Galt, Preston and Hespeler, Ont.
9. Agreement between the Master Builders' Association of Ottawa and the Bricklayers and Stonemasons' Unions of Ottawa, Ont.
10. Agreement between the Quebec, Railway, Light & Power Company and trainmen in its employ.
11. Renewed agreement between the Dominion Coal Company, Sydney, N.S., and the Provincial Workmen's Association.
12. Agreement between employing printers of Quebec, Que., and Typographical Union, No. 302 of Quebec.
13. Agreement between the employing printers of Quebec, Que., and the Printing Pressmen & Assistants' Union, No. 152 of Quebec.
14. Agreement governing Granite Workers at Beebe Plain, Que.

### 7. Reviews of Official Reports and Blue Books.

In addition to the publications above mentioned as having been specially reviewed in the *Labour Gazette* a considerable number of official reports and blue books of interest from the standpoint of industry and labour were reviewed as in previous years under the heading of "Reports of Departments and Bureaus"



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which appeared in each issue of the *Gazette*. A complete list of these reports classified according to the governments by which they were issued is given below. Altogether the publications noticed in this way numbered eighty-three, of which thirty-one were issued by the Dominion of Canada; twenty by the various provinces of the Dominion; ten by Great Britain; five by Australia; two by New Zealand; fifteen by the United States and one by France.

### CANADA.

1. Railway statistics of the Dominion of Canada for the year ending June 30, 1908.
2. Annual report of the Department of the Interior for the fiscal year ending March 31, 1908.
3. Criminal statistics for the year ended September 30, 1907.
4. Third report of the Board of Railway Commissioners for Canada for the year ended March 31, 1908.
5. Department of Railways and Canals; canal statistics for the season of navigation 1908.
6. Summary report of the Geological Survey Branch of the Department of Mines for the calendar year 1908.
7. Summary report of the Mines' Branch for the nine months ended December 31, 1908.
8. Abstract of statements of insurance companies in Canada for the year ended December 31, 1908.
9. Department of Mines, Mines' Branch: Report on the iron ore deposits of Nova Scotia, Part I by J. E. Woodman, 1908.
10. Department of Mines, Mines' Branch, Bulletin No. 1: Investigation of the peat beds and peat industry of Canada during the season 1908-9 by Erik Nylstrom and S. A. Anrep, M.E., 1908.
11. Department of the Interior: Annual report of the Topographical Survey Branch, 1907-08.
12. Special grain reports of the Department of Trade and Commerce, Canada, 1909.
13. Report of the Department of Customs, containing tables of imports, exports and navigation of the Dominion of Canada for the fiscal year ending March 31, 1909.
14. Reports, returns and statistics of the Inland Revenues of the Dominion of Canada for the year ended March 31, 1909.
15. Annual report of the Department of Indian Affairs for the year ended March 31, 1909.
16. Report of the Postmaster-General for the year ended March 31, 1909.
17. Report of the Superintendent of Forestry: Part VIII of Annual report of the Department of the Interior, Ottawa, 1909.
18. Report of the High Commissioner for Canada for the year ended March 31, 1909.
19. Report of G. Bogue Smart, Inspector of British Immigrant children and receiving homes for year ended March 31, 1909, Part II, annual report of the Department of the Interior.
20. Report of the Minister of Public Works on the works under his control for the fiscal year ended March 31, 1909.
21. Annual report of the Department of Railways and Canals for the fiscal year from April 1, 1908 to March 31, 1909.
22. Report of the Minister of Agriculture, Canada, for the year ended March 31, 1909.
23. Report of the Department of Trade and Commerce, Canada, for the fiscal



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- year ended March 31, 1909, Part IV, Canadian trade, miscellaneous information.
24. Report of the Minister of Justice as to penitentiaries of Canada for the fiscal year ended March 31, 1909.
  25. Department of Mines, Geological Survey Branch: The coal fields of Manitoba, Saskatchewan, Alberta and Eastern British Columbia, by D. B. Dowling, Ottawa.
  26. Report on the iron ore deposits along the Ottawa and Gatineau Rivers by Fritz Cirkel, M.E., Mines Branch, 1909.
  27. A descriptive sketch of the geology and economic minerals, Canada, by G. A. Young; introduction by R. W. Brock, Director of Geological Survey, Ottawa, 1909.
  28. Report of the Commissioners of the Transcontinental Railway for the year ended March 31, 1909.
  29. Railway statistics of the Dominion of Canada for the year ended June 30, 1909.
  30. Annual report of the Department of the Interior for the fiscal year ended March 31, 1909.
  31. The production of iron and steel in Canada during the calendar years 1907 and 1908, by John McLeish, B.A., Department of Mines, Ottawa.

*NOVA SCOTIA.*

1. Report of the Department of Mines of Nova Scotia for the years ended September 10, 1907 and September 30, 1908.

*NEW BRUNSWICK.*

1. Report of the Department of Agriculture of the Department of New Brunswick, 1908.

*QUEBEC.*

1. General report of the Minister of Public Works and Labour of the Province of Quebec for the year ending June 30, 1908.

*ONTARIO.*

1. Ninth report of the Bureau of Labour of the Province of Ontario for the year ending December 31, 1908.
2. Report of the re-forestation of waste lands in Southern Ontario, 1908.
3. Seventeenth annual report of the Bureau of Mines of Ontario, 1908.
4. Sixteenth annual report of the Superintendent of Neglected and Dependent Children of Ontario for 1908.
5. Report of the Minister of Education of Ontario for the year 1908.
6. Third annual report of the Ontario Railway and Municipal Board to December 31, 1908.
7. Thirtieth annual report of the Ontario Agriculture and Experimental Union, 1908.
8. Thirty-ninth annual report of the Inspector of prisons and public charities upon the hospitals, charities, &c., of the Province of Ontario for the year ending September 30, 1908.
9. The silver areas of Gowganda and South Lorrain; eighteenth annual report of the Bureau of Mines, 1908, Vol. XVIII, Part 2, 1908.
10. Second annual report of the Game and Fisheries Department, 1908.



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11. Forty-first annual report of the Inspector of Prisons and Public Charities upon the common gaols of the Province of Ontario for the year ended September 30, 1908.
12. Report of the Minister of Public Works of the Province of Ontario for the year 1908.
13. Appendix to general reports of the Dairymen's Associations of Ontario: List of cheese factories and creameries in operation in Ontario during the summer of 1909.
14. Eighteenth annual report of the Bureau of Mines of Ontario, Part 1, 1909.

*SASKATCHEWAN.*

1. Final report of grain crops and live stock of the Province of Saskatchewan for 1908.
2. Fourth annual report of the Department of Agriculture of the Province of Saskatchewan, 1908.

*ALBERTA.*

1. Annual report of the Department of Public Works of the Province of Alberta for the calendar year 1908.

*GREAT BRITAIN.*

1. Statistical abstract for the British Empire from 1893 to 1907.
2. Report by the Board of Trade respecting proceedings under the Railway Regulation Act, 1893, during the year ended July 27, 1909.
3. Mines and quarries: General report with statistics for 1908 by the Chief Inspector of Mines, Part 1, District statistics.
4. Mines and quarries: General report and statistics for 1907, Part IV, Colonial and foreign statistics.
5. Annual statement of the trade of the United Kingdom with foreign countries and British possessions, compared with four preceding years.
6. Report of Mr. Cyril Jackson and Rev. J. C. Pringle on the effect of employment or assistance given to the unemployed since 1886, as a means of relieving distress outside the Poor Law.
7. Statistics on compensation and of proceedings under the Workmen's Compensation Act, 1906, and the Employers' Liability Act of 1880, during the year 1908.
8. Report of changes in rates of wages and hours of labour in the United Kingdom in 1908, with previous statistics for 1899-1907, 1909.
9. Report of the Chief Registrar of Friendly Societies for the year ending December 31, 1909: Part B, Industrial and Provident Societies.
10. Royal Commission on the Poor Law and relief of distress: Appendix, Vol. XII, Memoranda by individual commissions on various subjects, 1909.

*AUSTRALIA.*

1. Third annual report of the Director of Labour, State Labour Bureau of New South Wales, for the year ended June 30, 1908.
2. Official statistics, Commonwealth of Australia, Commonwealth Bureau of Census and Statistics; Transport and Communication, Bulletin No. 2; Summary of Commonwealth statistics on transport and communication for the years 1901 to 1908.
3. Commonwealth Bureau of Census and Statistics: Population and Vital Statistics; Bulletin No. 14; Vital Statistics of the Commonwealth for the year 1908.



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4. Report of the working of the Factories and Shops' Act, Early Closing Acts; Shearers' Association, Act, &c., &c., during the year 1908.
5. Shipping and oversea migration of the Commonwealth of Australia for 1908.

## NEW ZEALAND.

1. Eighteenth annual report of the Department of Labour of New Zealand, 1909.
2. Report on Workers' Dwellings by the Honourable Minister of Labour, 1909.

## UNITED STATES.

1. Report of proceedings of the Child Labour Conference held at Hartford, Conn., December 4, 1908.
2. Twenty-first report of the Bureau of Statistics of Labour and Industries of New Jersey, for the year ending October 31, 1908.
3. Twenty-third report of the Bureau of Labour Statistics of Connecticut for the two years ending November 30, 1908.
4. Thirty-eighth annual report of Statistics and Labour of Massachusetts for 1907.
5. Twenty-first annual report of the Commissioner of Industrial Statistics of Rhode Island, 1908.
6. Sixth biennial report of the Bureau of Labour Statistics and Factory Inspection of the State of Washington, 1907-08.
7. Thirteenth biennial report of the Bureau of Labour and Industrial Statistics of Wisconsin; Part IV. Factory Inspection, child labour permits and free employment office for 1907-08.
8. Fifteenth annual report of factory inspection, Rhode Island, for 1908.
9. Eleventh biennial report of the Bureau of Labour and Industrial Statistics for the State of Nebraska, 1907-1908.
10. First annual report of the Department of Labour for the State of Oklahoma, 1908.
11. Fourteenth biennial report of the Bureau of Labour and Industrial Statistics (second report) Wisconsin, 1908.
12. Report of New York State Department of Labour Vols. I and II, 1908.
13. Annual report of the Massachusetts Board of Conciliation and Arbitration for the year ended December 31, 1908.
14. Tenth annual report of the Bureau of Labour Statistics of the Illinois Free Employment offices for the year ended September 30, 1908.
15. The Industrial Directory of New Jersey, compiled and published by the Bureau of Statistics of New Jersey, 1909.

## FRANCE.

1. Statistique des grèves et des recours à la conciliation et à l'arbitrage survenus pendant l'année 1907.

## 8. Legal Decisions Affecting Labour.

The record of current legal decisions affecting labour has been continued in the *Labour Gazette* during the past year, as established in the earliest issue of the journal. Altogether there were 178 legal decisions recorded in the *Gazette* during the year past, a statement being given in each case of the more important points at issue and the nature and effect of the decision, together with the Court in which the case was tried, the time and place of the trial, the names of the presiding judge and of the plaintiff and defendant. Important British or United



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States cases were described where the principle involved was of interest to the industrial population of Canada.

Among important decisions of the courts during the past year reference may be made to the following: Two judgments of far-reaching importance to union labour in connection with the right of picketting were delivered at Winnipeg in March, 1909, by Mr. Justice Mathers of the Manitoba Court of Appeal and by Mr. Justice Perdue of the same court, respectively, in the case of the Vulcan Iron Works Company *v.* the Winnipeg and Fort Garry lodges of the International Association of Machinists, and in the case of Cotter Bros. *v.* the Winnipeg Plumbers' Union. The last mentioned case was subsequently carried to the Judicial Committee of the Privy Council which gave judgment against the employees. Several convictions of railway operatives for negligence while on duty were made. Of interest from a trade union standpoint, also, were the various actions brought in connection with the affairs of the Provincial Workmen's Association. In connection with the strike of employees of the Dominion Coal Company, legal proceedings were taken by the Company against certain of the strikers for alleged improper picketting, and for the purpose of evicting others from premises owned by the Company. The constitutionality of the provincial Sunday observance law in the Province of Quebec and of the Early Closing Law in Montreal were subjects of decisions in the courts. The enforcement of the Act regulating the sale of opium, passed during the session of the Dominion Parliament of 1908, by several police magistrates throughout Canada were recorded. The decision of the Judicial Committee of the Privy Council in the case of Osborne *v.* the Amalgamated Society of Railway servants and others, involving the question whether it was competent for a trade union to provide for the maintenance of a parliamentary representative by means of a compulsory levy on its members, was one of several British judgments reported in the *Labour Gazette*. Among important United States decisions of the year were, the approval by the Court of Appeal of the District of Columbia of the sentences of imprisonment pronounced against the president, vice-president and secretary of the American Federation of Labour, and the imposition of a fine of \$222,000 upon 200 hat makers at Danbury, Conn., being members of the United Hatters' Union of North America.

Other subjects dealt with in the legal decisions reported in the *Labour Gazette* were, violations of the Alien Labour Act; employers' liability and workmen's compensation for injuries; contributory negligence; wrongful dismissal; the application of masters' and servants' Acts; the enforcement of mechanics' liens; violations of factories Acts; rioting; conspiracy in restraint of trade; damage for negligence of employers and employees; liability of hotel and restaurant keepers; Sunday labour; violation of mines' Acts; employment of alien labour; adulteration of milk; fraud on the part of employment agents; defective performance of work; negligence of contractors; damages under accident insurance policy; enforcement of bread by-law; enforcement of peddlers' by-law, &c., &c., &c.

### 9 Monthly Statement of Proceedings under The Industrial Disputes Investigation Act.

As required by section 29 of the Industrial Disputes Investigation Act reports and recommendations of Boards established under the Act for the adjustment



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of industrial disputes, together with any minority reports, were published without delay in the *Labour Gazette*, a considerable amount of space being devoted from month to month in reporting proceedings of Boards and in connection with applications received at the Department for the establishment of Boards. A detailed statement with reference to proceedings under the Act during the calendar year, all of which has been dealt with in the *Labour Gazette*, will be found as a separate chapter of the present report.

In addition to the above matter, several special articles were published on subjects of interest in connection with the administration of the Act. The text of a judgment by Mr. Justice Taylor in the Superior Court of Alberta in connection with an alleged infringement of the Act was printed in full (\*). During the month of May, 1909, a Bill modelled somewhat closely on the lines of the Industrial Disputes Investigation Act of Canada was introduced in the Transvaal Parliament and was duly passed, two articles being devoted to the subject in the *Labour Gazette* (‡). A reference was also published in the *Labour Gazette* (†) to a measure modelled on the Canadian Act introduced into the Legislature of the State of New York and the State of Wisconsin. The *Labour Gazette* also contained references to the adjustment of disputes between the Canadian Northern Railway Company and its locomotive engineers and maintenance-of-way employees after coming before Boards appointed under the Act (\*\*).

#### 10. Fair Wages Schedules in Government Contracts.

Publication was made in each issue of the *Labour Gazette* of the fair wages schedules prepared by the officers of the Department and inserted in contracts by different Departments of the Government of Canada during the month preceding the date of issue. Altogether, 107 schedules of wages were published in this way during the year, the information, apart from its immediate significance, being of general interest as showing the rates of wages prevailing in the building trades and among other employees in different parts of the Dominion.

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\* The *Labour Gazette* for April, 1909, page 1101.

‡ The *Labour Gazette* for August, 1908, page 226 and for October, 1909, page 459.

† The *Labour Gazette* for June, 1909 page 1333.

\*\* The *Labour Gazette* for September, 1909, pages 362-3.



## II.—THE INDUSTRIAL DISPUTES INVESTIGATION ACT, 1907.

The past fiscal year was the third since the enactment of this measure. The number of disputes dealt with during the year under the provisions of the Act was thirty, and the total references under the Act since its enactment has reached the figure of eighty-two.

With this added experience of the Act there is no reason to depart from the conviction expressed in former years regarding the effectiveness of the measure as a factor in the adjustment of industrial disputes, while on the other hand, there is abundant evidence that the principles on which the Act is based are obtaining continually a wider recognition, both in Canada and elsewhere.

The best evidence of this growth of favourable sentiment within the Dominion is found in the first place in the applications received by the Minister for the extension of the Act to industries other than those to which it now relates, and in the second place in numerous letters received by the Minister during the year from leading representatives of important railway organizations, expressing their approval of certain amendments to the Act effected at the recent session of Parliament and their general endorsement of the measure in its amended form, expressions of opinion of particular value in view of the attitude towards the Act which had been assumed at the time of the enactment of the measure by representatives of the same organizations.

### AS TO EXTENSION OF SCOPE OF ACT.

With reference to the question of the extension of the scope of the Act, it will be remembered that the Trades and Labour Congress, at its annual convention held at Winnipeg, in September, 1907, six months after the Act had come into operation, passed a resolution declaring by a large majority in favour of its extension to all industries; the resolution has never been rescinded, and at subsequent conventions of the body discussions on the Act have centered mainly around the question of certain amendments to the machinery of the Act of the nature now effected, the endorsement of the general principle of the Act, together with the view that it should be extended to other industries, being tacitly continued from year to year. The Canadian Federation of Labour, sent a deputation to the Minister urging an extension of the Act to all industries, while the Builders' Exchange, representing a large proportion of the employing builders of Ontario and Quebec, has on several occasions urged the immediate extension of the Act to the building trade, perhaps the most important of all industries outside of those now within the scope of the Act. It may be added that no action was taken on this point during the recent session of Parliament, it being deemed prudent to give the public some further opportunity of familiarizing itself with the principles and general nature of the Act in the more limited sphere which it at present controls; the amendments actually effected during the past session will be discussed immediately.



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## INTEREST IN THE ACT ABROAD.

Referring to the growth of favourable opinion outside the Dominion, reference should be made in the first place to the extent to which legislation based on the Act is being projected or has been actually accomplished in other countries. Inquiries, it may be remarked, continue to reach the Department almost daily from different parts of the world for the fullest information as to the operation of the Act, showing on the one hand how universal is the trouble to which it relates and on the other hand how ineffective existing legislation on the subject in most countries is conceived to be. The Act has been for the last year or two a favourite subject of debate in high schools, colleges and universities, in the United States perhaps to a larger degree than in the Dominion itself, and innumerable have been the requests received in the Department for information showing the exact procedure and the degree of success or failure achieved under the Act. Similar inquiries have been received from state officials all over the United States and from many foreign countries. It is doubtful if any Canadian Act has ever before been scanned with such intensity and has, on the whole, received such general eulogy. The Minister and the Deputy Minister have been many times requested to address gatherings or to furnish papers discussing the work of the Act, though circumstances have seldom permitted compliance with such requests. Professor Adam Shortt, also, who it will be remembered was Chairman of numerous Boards established during the first eighteen months of the life of the Act, has frequently by request addressed gatherings in Canada and in the United States as to the principles and operation of the Act.

## INTRODUCTION OF SIMILAR MEASURE IN MASSACHUSETTS.

During the recent session of the Massachusetts Legislature an Act embodying the principles of the Canadian measure and modelled closely on its lines was before it for consideration and an active discussion on its merits took place in the United States press; the measure was eventually deferred until the following session for final action.

The Canadian Act and its operations were a factor of the first moment in the discussion of the Bill. The *Springfield Republican*, for instance, after outlining the general character of the measure, remarks: "This plan has proved very effective as applied to public service industries in Canada. It has, as our news columns have already stated, reduced to an almost insignificant total the number of disputes which have been carried on beyond and against the report of a public arbitration board. It would undoubtedly prove effective if applied generally in this State; and if we could succeed in obtaining an arbitration or investigating board, whose personnel commands general confidence, the effectiveness of the plan would be greatly enhanced."

The *New York Sun*, discussing the measure, closes an article in which the measure is carefully summarized with the following somewhat skeptical comment: "Does it follow that because the Canadian law has worked well in its limited sphere a comprehensive law, as proposed by Mr. Luce (the author of the Massachu-



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setts measure) would realize his hopes in Massachusetts, where laws are less observed and the police power is less respected and feared than in Canada?" It is worthy of note that the only ground urged for skepticism as to the applicability of the principle of compulsory investigation in Massachusetts involves the payment of a high compliment to the people of Canada.

#### PRINCIPLES OF ACT ADVOCATED IN CALIFORNIA.

In the State of California also the principle of the Canadian Act has been endorsed in an elaborate report presented to the Governor of that State by Mr. Harris Weinstock, a special labour commissioner who was commissioned to investigate the labour laws and labour conditions of foreign countries generally in relation to strikes and lockouts. Mr. Weinstock's report, which is an able document of over 150 printed pages, setting forth concisely the laws on this subject in all civilized communities, strongly recommends legislation on the lines followed by Canada and contains the draft of a measure closely approximating the Canadian Act. It is a curious fact that Mr. Weinstock had been, by independent observation and inquiry, led, as his report states, to the conclusion that the principles forming the basis of the Canadian Act, of which he had at the time never heard, offered the most hopeful and practicable method for dealing with industrial disputes. The closing sentences of Mr. Weinstock's report, as bearing on this point, are specially worthy of note:

It is generally conceded that public opinion is a most important factor in the settlement of labour disputes, more especially when they are of a character likely to affect public convenience or comfort or profit. It is rarely, if ever, that a strike or lockout can succeed that has public sentiment against it. The problem, however, has ever been how, properly, to enlighten public opinion and how to place before it the actual facts involved in a labour dispute as found by a disinterested inquirer in whom the public would have confidence.

With these thoughts in mind it seemed to me that an important stride would be made in the direction of industrial peace, if legislation was created calling for a public inquiry in labour disputes before they had reached the serious stage of strike or lockout.

I realized, however, that any legislation along such lines, in a country such as ours, must at best be experimental. While in that stage, I feel that the proposed legislation should be confined to disputes likely to arise in the conduct of public utilities, since it is strikes and lockouts in these activities that, as a rule, more seriously affect the public welfare. Should the proposed legislation after a fair trial prove a success it would then be in the interest of all concerned to broaden it so that all industries might be brought under its influence.

This conclusion having finally been reached on my part, I forwarded it on paper while in Brussels, Belgium, in the nature of a rough draft of a proposed law.

On arriving in Paris a few days later, I found awaiting me there a packet of printed matter sent me by the Canadian Labour Department through the courtesy of Mr. Doherty of the Canadian Department of Agriculture, whom some months before I had met while in Rome.

Looking over this printed matter, I was surprised to find that my idea had been anticipated by the Deputy Minister of Labour of Canada, Mackenzie



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King, who had recently formulated and had succeeded in getting the Canadian Parliament to pass a public inquiry act. My satisfaction can be understood when I found among other documents in his collection the first annual report just issued by the Canadian Labour Department of the operation of the Act which showed that ninety-seven per cent of the labour disputes submitted to a public inquiry had been amicably adjusted, and that in only three per cent of cases inquired into had there been strikes after an award was made.

Here we have a most striking illustration of the difference in effectiveness between voluntary arbitration and public inquiry. Under *Voluntary Arbitration*, having behind it all the machinery and influence of the State, there are strikes and lockouts in about 97 per cent of cases and peaceful settlement without cessation of work in about 3 per cent of cases. Under *Public Inquiry* we find the very first year of its trial in Canada, when at best the system could not yet have been perfected, 97 per cent of peaceful settlements without cessation of work and but 3 per cent of strikes. Whatever doubts or misgivings I may have had as to the desirability or the practicability of the proposed public inquiry law were removed by the showing made by Canada as the result of an actual application of the principle. Surely, if in California we can, through the medium of public inquiry, adjust peacefully 97 per cent of labour disputes, we shall have accomplished a most important work, and shall have come as near establishing industrial peace as under our system of government is possible.

Sailing from Egypt to India it was my good fortune to meet Mr. Mackenzie King, the framer of the Canadian public inquiry act, to whom I am indebted for valuable hints and suggestions embodied in the following recommendations, which I have the honour to submit herewith to Your Excellency.

It is understood that the California measure was held in abeyance for some time on account of the alleged unconstitutionality of certain of its provisions. This point has, however, been since waived and the measure will now shortly be dealt with in the legislature.

## THE STATES OF WISCONSIN AND OHIO.

An Act similar in character has been introduced into the Wisconsin legislature, again after consultation with the Department of Labour of Canada, and in this case also has been held pending the consideration of the question of constitutionality. The decision in California will, no doubt, affect the situation regarding the Act in Wisconsin, and the action of the legislature of Massachusetts will probably also have its due effect in both cases. The State of Ohio has been in active communication with the Department, various officials and public men having indicated a desire to see whether similar legislation might not be made effective in that State.

## THE POSITION OF ILLINOIS.

In the case of Illinois it is not understood that any definite action has been taken in the direction of legislating along the precise lines of the Industrial Disputes Investigation Act, but at a convention of officers of conciliation boards and boards of arbitration in Washington in January last, which was attended by the Deputy Minister of Labour, the special representative of the Governor of Illinois,



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in the course of a paper on Compulsory Arbitration contributed by him to the proceedings of the conference, spoke in the most cordial terms of the principle on which the Canadian Act is based and strongly commended its general features. Mr. C. J. Doyle, the gentleman indicated, said on this point:

It is the hasty, ill-advised strike that causes most of our trouble and at least, half of them could be averted if both sides were required to submit to an impartial investigation and full publicity as to the merits of the controversy. After such investigation the public, which is discriminating in such matters where the facts are known, would soon end a strike were one to take place. It is doubtful if any corporation or labour union would have the hardihood to fly in the face of an educated, enlightened public opinion and for that reason I believe publicity is the strongest weapon that can be used for the maintenance of industrial peace.

The experience of Canada with its Industrial Disputes Investigation Act of 1907 has been most gratifying. Industrial conditions in Canada do not differ materially from those in the United States. The organized workers in both countries belong to the same International Unions. The Canadian Act has not prevented strikes in every instance. It was not expected that it would, but in the first year of its operation 32 disputes out of 35 referred under the law were satisfactorily adjusted. The number of men involved in the controversies referred to was between 25,000 and 30,000. The actual number of boards constituted under the law during the first year of its operation was twenty. That record proves that the Canadian law is well adapted to present-day conditions.

It is, perhaps, unnecessary for me to say much about the Canadian law as you doubtless are all familiar with its provisions. It was enacted on the recommendation of the Deputy Minister of Labour following a prolonged strike of coal miners which caused a coal famine throughout Saskatchewan. Briefly, it prohibits any strike or lockout in any industry affecting a public utility until an investigation has been made and allows a period of thirty days in which to make such investigation.

After the investigation has been completed by an official board created for that particular case and the result of its findings made public, the employer or the union is free to engage in a strike or lockout if they choose. Of course, the board does everything possible to effect an amicable settlement, as well as conduct an investigation and its official report is in the nature of recommendation to one or the other of the parties, or to both. Generally speaking, those recommendations have been accepted without recourse to a strike. Where they have not been and a strike has been called, the same recommendations have sometimes been accepted later to settle the strike.

Though the Canadian law does not in every case prevent strikes, it furnishes an easy and sensible method for adjusting industrial disputes, if either one side or the other has an honest desire to settle. If they have not, there is no law, compulsory or otherwise, that will prevent strikes.

It has been my experience, however, that in a large majority of cases both sides are anxious to avert strikes if a middle ground can be found, and neither one required to forego any principle. In matters pertaining to hours and wages, usually some compromise is possible; in cases where a principle is at stake it is more difficult. Even then, though it is impossible to arbitrate or compromise on a question regarded by either side as a fundamental principle, it frequently is possible by means of intelligent discussion and argument to present a situation in a very different light from that in which it may have been viewed by one side or the other. For that reason the Canadian law of compulsory investigation previous to a declaration of war in industries affecting public utilities, seems to me an admirable one which possesses ad-



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vantage not possessed by the compulsory arbitration laws of Australasia. No edict of a court will convince either a workingman or an employer that he is wrong and the court is right. If he is open to reason and conviction an intelligent argument may convince him that his position is untenable and he will acquiesce cheerfully, where in the other case he might submit rather than go to jail, but would still be dissatisfied.

## SIMILAR MEASURE ADOPTED IN THE TRANSVAAL.

Turning to the other side of the world, South Africa, again we find the influence of the Industrial Disputes Investigation Act in a marked degree. The legislative authorities of the Transvaal had been in close touch with the Department of Labour for a year or two regarding labour legislation generally and on September 27 last, the Minister of Labour received the following letter from the Honourable Jacob de Villiers, Minister of Mines of the Transvaal, saying that a measure had been enacted in that country modelled closely on the lines of the Canadian Act:

I have to thank you for your letter of the 24th July last, and also for the very interesting documents which have been forwarded by Mr. Acland, the Deputy Minister of Labour.

I enclose a copy of the Industrial Disputes Act, as passed in the Transvaal Parliament at its last Session. I regret that I am unable to forward you the official reports of the Debate, as they are not at present available, but will do so later.

The Bill, as you will see, is modelled on practically identical lines with the Canadian Act; changes being made merely to suit differences in local conditions. The Bill received the support of all sections of Parliament, the principle of conciliation and investigation being accepted in preference to that of compulsory arbitration.

In preparing and introducing the Bill I was much assisted by the valuable reports published by your Department.

I wish to tender you the thanks of my Government for your kind offer of co-operation and assistance, which I greatly value and reciprocate.

## EXPERIENCES OF OTHER COUNTRIES.

The interest taken by foreign countries in the Canadian legislation furnishes ground, perhaps, for turning aside for a moment from the discussion of the Canadian Act to glance at the recent experiences of some other countries with respect to industrial disputes. The brief outline given of some of the greater industrial troubles of the world will show how fortunate by comparison has been the experience of Canada, despite the fact that in Canada the year has included several disputes of a more than usually difficult character. The almost universal prevalence of this problem in its keenest aspects constitutes also the strongest reason for continual inquiry and comparison as to practices and methods employed in other countries in dealing with the subject, and it is no slight ground for satisfaction that at the present time there is such widespread testimony to the superiority of the Canadian Act.



## THE PHILADELPHIA STREET RAILWAY STRIKE.

In the annual report of the Department presented last year reference was made to the disastrous strike then just concluded on the part of the street railway employees of Philadelphia, and a contrast was drawn between the method, or more properly speaking, absence of method, of dealing with a dispute of this nature in the great American city, and the method being at the same moment applied to a similar type of dispute in the Canadian city of Winnipeg. Both disputes fell within the financial year just concluded, and were mentioned in the previous report only by a slight anticipation with respect to dates. Reference is again made to the matter because it is possible by so doing still further to illustrate the special usefulness of the Canadian law. The Winnipeg dispute was without cessation of work or obstacle of any kind satisfactorily adjusted before a Board over which presided Rev. Dr. Gordon, the eminent Presbyterian divine and noted novelist (Ralph Connor); the Philadelphia dispute, after tragic street scenes and long continued disorder, was quieted without being adjusted, only to be renewed more violently than ever during February and March of the present year. Again the streets of the city became the scene of pitched battle, in the progress of which many scores of citizens were killed and wounded. State troops, cavalry and infantry, were called to the scene and thousands of special constables were sworn in. Hundreds of street cars were wrecked, some being subsequently burned, and the total losses by destruction of property and interruption to work were placed at not less than half a million dollars daily. At the end of a couple of weeks, the turmoil continuing, the Central Labour Union of Philadelphia called a general strike of its members. The membership was placed at 125,000 and had the whole number obeyed, the consequences are incalculable. The number of strikers was, however, largely augmented, and the scenes of violence were renewed. There was further talk of a state strike, but this was not attempted. Eventually, after a month of disorder, the situation began to clear, but it was not until a second month was well advanced that the men were back at their posts. No permanent or amicable adjustment had been effected, even at the date of writing, and the soreness arising from the terrible strike must long remain unhealed. Throughout the struggle it was impossible to secure the consent of both parties to formal arbitration or to a joint discussion before any Board or tribunal, and it is impossible not to believe that much, if not the whole of the disaster would have been averted, had it been possible, as under the Canadian law, to compel such an inquiry before any interruption of work occurred.

If this reference to events in Philadelphia appears to be of undue length, it may be perhaps excused because of the direct interest in the Canadian Act which the troubles aroused in the minds of many leading men of Philadelphia, and elsewhere in the State of Pennsylvania. Many inquiries reached the Department, being frequently accompanied by expressions of hope that it might prove practicable to have enacted by the commonwealth of Pennsylvania legislation similar to that of Canada. Among the inquiries were one of the editors of a leading daily newspaper; the Secretary of the Board of Home Missions of the United Presbyterian Church of North America; the representative of the Canadian Pacific Rail-



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way Company in Philadelphia; the counsel of the Public Defense Association of Pittsburg, Pa.; the pastor of the Bethlehem Presbyterian Church of Philadelphia; and the editor of the *Pittsburg Legal Journal*, this publication, it may be added, had been so impressed by the Canadian Act that it decided to reprint the measure and circulate copies to its subscribers. One of the latest inquirers on the subject from this State is Rev. Dr. J. L. Levy of Pittsburgh, Pa., pastor of one of the largest and most influential churches in that city and a member of the Public Defense Association; Dr. Levy, early in the month of May, after correspondence on the subject, came personally to Ottawa to discuss the various aspects of the Act with the Minister and officials of the Department, his visit being part of a larger inquiry in the interests of industrial peace legislation which he proposed making on behalf of the Association named.

## OTHER UNITED STATES STRIKES.

Of other disastrous strikes in the United States of recent date the most notable is that of the miners of bituminous coal in the United States. On April 1, over 200,000 men employed in this industry in Pennsylvania, Indiana, and the southwestern States were called out by the U. M. W. A. organization for the purpose of making new schedules with the operators, negotiations to that end having broken down. Most of the men remained out throughout the month of April, but agreements were negotiated in most districts before the end of the first week in May, enabling a resumption of work to take place; the strikes, though brief, represented a loss of several million dollars. A dispute of unusual magnitude was the strike of the waist makers of New York, in which from thirty to forty thousand women and girls were concerned. The strike lasted many weeks and excited great public interest. The cost of the strike to firms and employees was placed in round figures at \$4,000,000.

Great strikes of steel workers at McKee's Port, Pa. and Bethlehem, Pa., the former accompanied by scenes of violence and bloodshed, and a strike of sailors on the Great Lakes, which seriously hampered the shipping business throughout the whole of last season are also among the notable industrial disputes of the year in the United States.

## NOTABLE DISPUTES IN EUROPE AND ELSEWHERE.

In several other countries during the year there have been strikes of world-wide interest which, like those mentioned in the case of the United States, are worthy of passing reference as indicating how relatively unimportant have been hitherto the most serious industrial troubles of the Dominion.

Early last year came the strike of postal and telephone employees of Paris, and the order of a general strike by the officers of the syndicates, which in France take the place of trades' unions. The strike of postal and telephone employees caused the greatest inconvenience for many days and there was some street turbulence. The general strike was, however, a failure, being ineffective from the start. During the year 1909 also, a dispute among the sailors at the port of Marseilles deranged the shipping trade to such an extent as to entail an estimated loss



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of \$30,000,000. The trouble was repeated during the present spring, continuing for several weeks, again with great loss to the parties and the public. This year a general strike was ordered at Marseilles, which was more successful than that ordered in the case of the postal and telephone employees at Paris, business at the port being for some days reduced to a standstill. The government was compelled to take vigorous action, and proceedings were taken against the leading officials of the controlling labour organization. Ten were sentenced to brief terms of imprisonment. Several others were arrested, and information was laid against in no fewer than 550 cases. After a period of turmoil extending over about three weeks the strike collapsed as an active factor, though at the date of writing it remained without a formal settlement. M. Millerand, the Minister of Public Works and Postmaster-General in the present French government, is among those to whom by request a statement was sent during the year giving the fullest information as to the nature of the Canadian Act and as to all proceedings thereunder.

A general strike which was the most effective of its kind yet anywhere attempted, took place in Sweden, being called throughout the entire country, in which several hundred thousand men, the bulk of the working population of the country in fact, joined. The business of the country was paralyzed for weeks and chaos ruled everywhere as a result of this disastrous experience. The Government of Sweden is reported as a result to be meditating a law regulating agreements between employers and their workmen, fixing five years as the limit of such contracts, and declaring strikes or lockouts during the term of such agreements to be illegal, and providing for the revision of agreements in the light of changed economic conditions at the expiry of the agreements. It should be added that the general strike ordered by the Central Labour Union of Sweden in this case was the outcome of a lockout of some 40,000 employees in the pulp, timber and textile industries.

In Germany, during the present spring, the agreement between the masons and joiners having terminated, and the representatives of either side being unable to come to terms for the renewal of terms, a lockout took place on April 15 of over two hundred thousand men, which continued for several weeks.

In Australia the compulsory arbitration laws were not effective in preventing a great strike of coal miners in the Newcastle and Maitland District of New South Wales, when over 12,000 men ceased work. The strike lasted from the month of November until the month of February last. A special Act of Parliament was passed enabling proceedings to be taken against several strike leaders, five of whom were sentenced to imprisonment for considerable terms. Coal rose greatly in price during the strike and there was talk of a resort to a general strike; general industrial conditions were greatly disturbed during the progress of the dispute. Eventually the strike was settled by the instrumentality of the compulsory Wages' Board of New South Wales.

In Great Britain the year passed without any relatively great strike, but for weeks the country was in a state of trepidation over a threatened tie-up of the whole coal industry. The miners of South Wales refused to accept the terms of the mining operators and the miners of England and Scotland decided to support them in a strike. The strike, which would have involved considerably over a



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million men and worked untold damage to industrial interests generally, was narrowly averted.

It will be seen, therefore, as suggested at the outset of this sketch of foreign labour troubles, that Canada has wholly escaped the severer form of industrial disputes and that many of the most serious of the troubles of other countries would have been largely, if not wholly, avoided by virtue of an Act such as the Canadian measure. Perhaps the most noticeable feature of foreign industrial disputes is the growth of the theory and practice of the general strike, a phase of the industrial problem with which Canada has not yet come into contact.

## AMENDMENTS TO THE ACT.

During the past session the Act was amended in some important respects, the amendments affecting, however, the procedure only and not touching in any way the principles. The amendments effected had been the subject of frequent representations to the Minister of Labour, since the enactment of the measure.

The amendments included three points, viz: (1) to relieve employees under certain circumstances from the necessity of stating on oath that the necessary authority to declare a strike had been obtained; (2) to place the onus of invoking the Act on the party proposing a change in wages or hours where any such proposed change results in a dispute, this being effected by providing that no such change should become operative unless by mutual consent until it had finally been dealt with by a Board; (3) to increase slightly the remuneration paid to members of the Board other than the Chairman.

These amendments are substantially identical with those urged on the then Minister of Labour, Hon. Rodolphe Lemieux, during the session 1908-09, by an important deputation representing jointly the Trades and Labour Congress, the Brotherhood of Locomotive Engineers and Firemen, and other important railway organizations. Mr. Alphonse Verville, M.P., at that time President of the Trades and Labour Congress, and Mr. J. G. O'Donoghue, Parliamentary Solicitor for the Trades and Labour Congress, accompanied the deputation, which included also Mr. Calvin Lawrence, the legislative representative of the Brotherhood of Locomotive Engineers and Firemen, Mr. J. Harvey Hall, who at that time represented the Brotherhood of Railroad Telegraphers, and other prominent representatives of leading railway organizations.

## THE RAILWAY EMPLOYEES' GRIEVANCE.

The points most strongly urged on the Minister on this occasion were that the requirement from the employees of a sworn statement that the necessary authority to declare a strike had been obtained was the occasion in some cases of considerable expense. Railway men, it was alleged, were particularly affected and therefore specially needed relief. The special explanation of the grievance in their case lay in the fact that railway men concerned in an industrial dispute may frequently be stretched along a transcontinental line of three or four thousand miles, and the work of securing a strike vote under such circumstances is carried on only with much expenditure of time, labour and money. The Minister of that date re-



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quested that a written statement might be submitted setting forth the reasons for the proposed change and indicating in some detail the expenditure necessitated by the then existing procedure, and to obviate which the amendment was designed.

Subsequently a statement was submitted on behalf of the deputation by the Parliamentary Solicitor of the Trades and Labour Congress, setting forth the following as a statement of the expenditure which the then existing method of procedure had entailed on the Brotherhood of Locomotive Firemen and Enginemen in the case of a reference under the Act.

The Joint Protective Board of the Brotherhood, numbering thirty members, paid at the rate of \$7.00 per day, had to be called in, requiring men to come from the East and West of the Dominion and necessitating expenditure as follows:

Convening Board, 5 days at \$120 per day.....	\$ 1,050.00
In session 2 days at \$2.10 per day. ....	420.00
Out on line getting vote, 7 days at \$2.10 per day.....	1,470.00
Printing, postage and telegrams.....	487.00
	<hr/>
	\$ 3,427.00

In September, 1909, the Trades and Labour Congress, meeting at Quebec, passed a resolution suggesting amendments to the Act substantially identical with the changes effected, both as to the grievance specially urged on behalf of the railway employees and as to other points.

On November 9th, 1905, a deputation representing the Brotherhood of Railway Trainmen waited on the present Minister of Labour, being introduced by Mr. Ralph Smith, M.P., and repeated the suggestions looking to an amendment of the Act on this point. The spokesman of the railway men on this occasion was Mr. James Murdock, Vice-President of the Brotherhood of Railway Trainmen, and a resident of Toronto. Mr. Murdock stated it was not the wish of the deputation to depreciate in any way the value of the Act. The members of the deputation, he said, realized that the measure had been productive of great good in many ways and that, moreover, it was an Act which was destined to remain on the statutes of Canada; they believed, however, that such an organization as that represented by the deputation was somewhat severely handicapped by the provision requiring the statement on oath as to the authority to declare a strike. It was pointed out that the organization concerned represented no less than 8,600 men in Canada, extending from Victoria, B.C., to Sydney, C.B. On the Canadian Pacific Railway Company line alone there were no less than 2,200 members. Such a vote as that required under the Act would cost the Brotherhood on the Canadian Pacific Railway Company not less than \$4,000, the branches being scattered from one end of the country to the other, and it being necessary to take a vote of each of the several local unions. This deputation, it may be added, included representatives from Ottawa, Windsor, Toronto, Depot Harbour, Fort William, Port Arthur, Havelock, and Lindsay, in the province of Ontario; from Sherbrooke, Montreal, and Quebec, in the province of Quebec; from Vancouver, B.C.; Calgary and Medicine Hat, in Alberta; Moosejaw, in Saskatchewan; Brandon, Manitoba; Moncton and St. John, in New Brunswick; and Halifax and Glace Bay, in Nova Scotia.



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With regard to the special grievance of the railway employees, the amending bill obviated the difficulties set forth by providing an alternative method of application in the case of disputes directly affecting employees in more than one province, the alternative machinery providing that when such employees were members of a trade union having a general committee authorized to carry on negotiations in disputes between employers and employees, and so recognized by the employers, the necessary statutory declaration provided for under the Act might be signed by the president or chairman and by the secretary of such committee.

## THE QUESTION OF ONUS.

With regard to the amendment by which it is sought to place the onus of demanding a Board on the party proposing changes in wages or hours, where such changes are not acceptable to the other party, instead of leaving the onus on the party affected by the change, the point was met by providing that in addition to the requirement that thirty days' notice of any such change should be given, no such change would go into effect until any dispute growing out of the proposals had been dealt with by a Board. This change had the effect of placing the onus of making the application for a Board on the party proposing a change in wages or hours, the alternative being the abandonment of the intended change. This latter change in procedure necessitated a further modification of the section prescribing the mode of making application. Under the law as it stood originally, the employer when submitting an application was required as in the case of employees, to include in his sworn declaration the statement that the necessary authority to declare a lockout or strike had been obtained. It is obvious that the employer, when making application on account of a proposed change intended on his own part, might not be prepared either to state that the necessary authority to declare a strike had been obtained or that a lockout was likely to occur. The Act therefore was further amended in this respect to provide that an employer when making application on account of an intended change proposed by himself as to wages or hours, is relieved of the necessity of making this statement.

The terms of the Act in its unamended form as to the onus of the application were claimed to represent under some circumstances some injustice to the employees, and it is conceivable that under certain circumstances the unamended Act in this respect might have represented also an injustice to the employer. The experience of the Department has not shown, it is believed, that any definite grievance has grown out of the original form of the Act, save perhaps in the case of the dispute between the Canadian Pacific Railway Company and its mechanics, in the summer of 1908. In this case it will be remembered that the Company proposed a new schedule, and the men, being unwilling to accept the proposed changes and being unable to reach an adjustment with the Company by negotiation, found it necessary to call for a Board of Conciliation and Investigation. The findings of the Board were not accepted by the men and a strike followed, during the course of which the criticism was occasionally seen in the newspapers that the employees, having called for a Board, should have been morally bound to accept the Board's findings and recommendations. As to this, it is of course the intent of the Act that the efforts of a Board should be devoted to the adjustment of the dispute referred



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to it, and it is highly desirable that where an actual adjustment is not effected, the findings of the Board should be accepted by both parties; but there is no ground properly speaking for the view that the party calling for the Board is, any more than the other party, bound morally to accept the findings, and any criticism suggesting this view is based on an imperfect study and appreciation of the Act. The men concerned in the case cited however, felt the criticism as being a genuine grievance and it was thought desirable to take advantage of the amending of the Act in other respects to remove ground for future complaint from either on the same score.

The remaining change effected by the amending bill is one increasing to twenty dollars a day the amount paid to members of a Board other than the Chairman, the figure of the fee payable to the Chairman remaining unchanged: previously the Chairman had received \$20.00, the members of the Board, \$15.00. This amendment also had been requested by the Trades and Labour Congress, indeed, the Trades and Labour Congress had recommended a somewhat higher figure, namely \$25 for both Chairman and members. Originally the fee payable to the Chairman was placed at a somewhat higher figure than that paid to other members on the ground that in the conduct of negotiations as between the parties and otherwise apart from formal Board proceedings, the Chairman's duties might be considerably more arduous than those of other members; experience, however, has shown that while a certain type of duties remains peculiar to the Chairman, yet other duties not less important pertaining vitally to the successful issue of the enquiry are peculiar to the members nominated by the respective parties, and must be performed by them apart from the formal labours of the Board. It has been considered desirable, therefore, to make the fees uniform at the figures named.

#### CHANGE OF ATTITUDE TO ACT ON PART OF RAILWAY EMPLOYEES.

It may be of interest in connection with the discussion of these amendments to note the general change of attitude towards the Act on the part of railway employees. As has been mentioned, the attitude of the railway employees was in part one of opposition to the measure on account of certain of its features. To what extent this attitude has changed is best shown by letters received from them by the Minister and read by the Minister in the course of his remarks in the House of Commons on the occasion of the second reading of the amending bill, the writers heartily endorsing the amendments then under consideration and cordially accepting the principles of the whole measure in its amended form.

#### CORRESPONDENCE BETWEEN MINISTER AND RAILWAY MEN'S REPRESENTATIVES.

The letters interchanged between the Minister and the representatives of the various organizations, as read by the Minister before the House of Commons, were as follows:—

*From the Minister.*

“Department of Labour, Canada,  
“OTTAWA, March 5, 1910.

“Dear Sir,—I am inclosing a copy of proposed amendments to the Industrial Disputes Investigation Act, 1907, which have been framed, after



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consultation with yourself and others, with a view of meeting what seem to me very reasonable requests made on behalf of the working men of this country through some of their representative labour bodies and officers, and in particular with a view of removing the possibilities of certain injustices which have been alleged on behalf of railway employees as existing, in so far as the provisions of the measure are applicable to them.

"I wish you would kindly look carefully over the amendments proposed, and let me know whether in your opinion, they are satisfactory, and whether if adopted by Parliament they would bring the Industrial Disputes Investigation Act into a form generally satisfactory and acceptable to railway employees.

"Yours faithfully,

"(Sgd.) W. L. MACKENZIE KING.

*Replies.*

"Windsor Hotel,

"OTTAWA, March 5, 1910.

"THE HONOURABLE W. L. MACKENZIE KING, C.M.G.,

"Minister of Labour,

"Ottawa.

"Dear Mr. King,—

"I have the honour to acknowledge the receipt of your communication of March 5, together with a copy of the proposed amendments to the Industrial Disputes Investigation Act, 1907, and in reply, I am pleased to say, that I have very carefully looked over the suggested amendments and they appear to me to be very satisfactory and, in my opinion, if adopted by Parliament they should bring the Industrial Disputes Investigation Act of 1907 into a form generally satisfactory and acceptable to railway employees; therefore, as representing the Brotherhood of Locomotive Engineers, I can consistently endorse the Act when so amended, believing that it will, if amended as proposed, be a benefit not only to railway employees, but also to the public generally.

"I wish to avail myself of this opportunity to express to you the appreciation of myself and those I represent for the courtesy and consideration you have extended to me during our interviews regarding railway legislation.

"I have the honour to be, Sir,

"Yours very respectfully,

"(Sgd.) CALVIN LAWRENCE,

"Legislative Representative B.L.E.

"OTTAWA, March 10, 1910.

"W. L. MACKENZIE KING, Esq.,

"Minister of Labour,

"Ottawa.

"Sir,—

"I have your letter of the 9th instant with inclosed copy of proposed amendments to the Industrial Disputes Investigation Act, 1907.

"I have gone carefully over the amendments proposed and I am of the opinion that they will be satisfactory should they become law as they are drafted. I am also of the opinion that the Industrial Disputes Investigation



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Act, if it is amended as proposed, will bring the Act into a form that will meet with the general approval of the railway employees that I have the honour to represent.

“Thanking you for the many courtesies that you have extended to us in the past.

“I am, respectfully yours,

“(Sgd.) W. J. DOWELL.

“Legislative Representative of the Brotherhood  
of Locomotive Firemen and Enginemen.”

“OTTAWA, March 10, 1910.

“HONOURABLE W. L. MACKENZIE KING,

“House of Commons,

“Ottawa.

“Honourable and Dear Sir,—

“I beg to acknowledge receipt of your letter of March 5, inclosing copy of the proposed amendments to the Industrial Disputes Investigation Act of 1907.

“I have carefully read over the amendments, and wish to state, as a representative of the Trainmen's Organization, I find them entirely satisfactory, and in my opinion will bring about all desired results. I also feel if proposed amendments are adopted by Parliament, will bring the Industrial Disputes Investigation Act into a form satisfactory and acceptable to all members of the Trainmen's Organization.

“Respectfully yours,

“(Sgd.) JOHN MALONEY,

“Dominion Legislative Representative, Brotherhood of Railroad Trainmen.”

“Order of Railroad Telegraphers,

264 Rusholme Road,

“TORONTO, March 14, 1910.

“THE HONOURABLE W. L. MACKENZIE KING, C.M.G.,

“Minister of Labour,

“Ottawa,.

“Dear Mr. King,—

“Replying to your favour in reference to the proposed amendments to the Industrial Disputes Investigation Act, I desire to say that if these amendments can be obtained, the Act will be entirely satisfactory to our organization. In fact, we have felt the need of these amendments almost ever since the law has been enacted, and we are hopeful that Parliament will see the wisdom of them.

“Wishing you success, I am,

“Yours sincerely,

“(Sgd.) D. CAMPBELL,

“Third Vice-President.”



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Mr. Harvey Hall, representing the Order of Railway Conductors, wrote in part as follows, under date of March 14: "This will acknowledge yours of March 9, with a draft copy of proposed amendments to the Industrial Disputes Act attached. I have gone carefully over the proposed amendments, and believe they will, to some extent, relieve the railway employees of a very serious complaint, namely, delay and expense, when they are forced to apply for a board. \* \* \* I must admit that the amendments proposed, if adopted, will certainly meet the views of the railway men as far as they go."

Mr. A. B. Lowe, President of the International Brotherhood of Maintenance of Way Employees, writing to the Minister under date of March 11, 1910, said, in part, — "My opinion of the Act itself has never changed, that it is one of the best pieces of legislation that has been passed to my knowledge in the interest of industrial peace."

Again, on March 18, 1910, Mr. Lowe wrote the Minister: "I hope that the amendments proposed may be placed in the law."

## AS TO CHANGES OF CONDITIONS.

It may be noted that the Act in its unamended form required that after a dispute had been submitted to a Board, no change could be made by either party with respect to changes in wages or hours until the dispute had been dealt with. This prohibition is not of course affected by the amendment, but is made positive and certain with regard to any such proposed change, instead of being left conditional on the reference of the dispute to a Board. It is desirable to add, however, that during the operation of the Act only one instance has been brought to the attention of the Department where it has been alleged that any change in conditions has been made or attempted during the progress of an inquiry. In the single instance in which such a change was brought to the attention of the Department, the Department explained the procedure necessary and nothing further was heard of the matter.

Representations had been made that the prohibition proposed under this section as to changes in wages and hours, should be extended to include changes in all conditions of labour, but after consideration it was not deemed desirable to enlarge the scope of the amendment to this extent. It is believed that no change of real importance can be proposed which does not affect either wages or hours or both, and it has not been deemed prudent to handicap either employers or employees by applying the same restrictions, therefore, to changes of minor importance as to changes of a more vital order. Should these minor changes, nevertheless, result in a dispute which cannot be adjusted by ordinary negotiations, the parties concerned may still, as in the past, avail themselves of the general machinery of the Act to secure the establishment of a Board of Conciliation and Investigation. Changes affecting such points as the use of lights in a coal mine, as to the wearing, say, of a particular uniform by railway conductors or street railway conductors, as to the method of presenting or discussing grievances, as to the question of apprenticeship, and as to many other such matters, important in themselves, though not as a rule vital in their bearing, are unlikely to offer serious difficulty in adjustment; on the other hand, it may easily happen that in some such matters there would be injustice to one side or the other in surrounding the proposed changes with undue delays or restrictions.



## STATEMENT OF OPERATIONS DURING THE YEAR.

It will be in order now to review carefully the proceedings under the Act for the fiscal period, the year, namely, ending March 31, 1910.

In all twenty-seven applications under the Act were received during that period, as a result of which twenty-five Boards were established. In one of the remaining cases the matters in dispute were adjusted by mutual agreement whilst communications were passing with the Department, in respect of the establishment of a Board. In another case communications regarding the establishment of a Board had not been concluded at the end of the month of March, 1910. In addition to the twenty-seven cases above mentioned, proceedings under the Act, during the past year, occurred also in connection with three applications, which were received prior to April 1, 1909, making thirty in all dealt with during the year.

## INDUSTRIES REPRESENTED.

The disputes dealt with under the Act, during the year, were distributed among the different industries as follows, namely:—

Coal mining.....	9
Metal mining. . . . .	2
*Railways.....	12
Street railways . . . . .	1
Freight handlers.....	2
Longshoremen.....	1
Teamsters. . . . .	1
Civic employees. . . . .	1
Industries other than public utilities. . . . .	1

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30

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\*Among the classes of labour concerned in these twelve disputes were the following:—conductors, engineers, telegraphers, machinists, firemen, station agents, roundhouse employees, fitters, brakemen, baggagemen, yardmen, and maintenance-of-way employees.

During the year communications were received in respect of three disputes relating to industries other than public utilities, and in which Boards could, under the terms of the Act, be established only by the consent of all parties concerned. In two of these cases such consent was not obtained, so that no Boards were established in respect of the same. Correspondence was also exchanged between the Department and persons concerned in various disputes in which, however, the circumstances did not call for any formal procedure under the Act.

The total number of employees affected in the thirty disputes referred to above was estimated at 30,350, divided mainly among the various disputes as follows:—

Between the Canadian Pacific Railway Company and its conductors, baggagemen, brakemen and yardmen, 4,360; between the Dominion Textile Company, of Montreal, and its mule spinners, 70 directly and 3,000 indirectly; between the Grand Trunk Railway Company and its conductors, baggagemen, brakemen and yardmen, 3,017; between the Dominion Coal Company, of Glace Bay, N.S., and



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its employees, 3,000; between the various coal mining companies in the Provinces of Alberta and British Columbia comprised in the Western Coal Operators' Association and their employees, 2,100; between the Canadian Northern Railway Company and its maintenance-of-way employees, 1,100 directly and 700 indirectly; between the various Steamship Lines navigating to the Port of Montreal and the Syndicated Longshoremen of that Port, 1,800; between the Kingston and Pembroke Railway Company and its employees, members of the Order of Railroad Telegraphers, 19 directly and 1,600 indirectly; between the Cumberland Railway and Coal Company, of Springhill, N.S., and its employees, 1,550; between the Intercolonial Railway of Canada and its roundhouse employees, 20 directly and 1,000 indirectly; between the Grand Trunk Railway Company and its telegraph and station agents, 760; between the Canadian Pacific Railway Company and its freight handlers at Fort William, Ont., 700; between the Winnipeg Electric Railway Company and its employees, 600.

In other disputes referred during the year, some of them of an extremely complicated nature, the number of employees affected was smaller than in the cases above mentioned.

## SETTLEMENTS RESULTING FROM INQUIRY.

The disputes investigated in which the threatened strike or lockout was averted directly or indirectly were in number eighteen, being as follows:—

- I. Kingston and Pembroke Railway Company and telegraphers.
- II. Winnipeg Electric Railway Company and employees.
- III. Nova Scotia Steel & Coal Company, Limited, Sydney Mines, N.S. and, employees, members of the United Mine Workers of America.
- IV. Dominion Textile Company, Montreal, and employees.
- V. Canadian Pacific Railway Company and telegraphers.
- VI. Western Coal Operators' Association and employees.
- VII. Canadian Pacific Railway Company and freight handlers at Owen Sound, Ont.
- VIII. Grand Trunk Pacific Railway Company and engineers, firemen, conductors, brakemen, baggagemen and yardmen.
- IX. Canadian Northern Railway Company and maintenance-of-way employees on lines west of Port Arthur, Ont.
- X. Canada West Coal Company, Taber, Alta., and employees.
- XI. Corporation of Saskatoon, Sask., and labourers.
- XII. Intercolonial Railway of Canada and roundhouse employees.
- XIII. Canadian Pacific Railway Company and freight handlers at Fort William, Ont.
- XIV. Intercolonial Railway of Canada and machinists and fitters.
- XV. Edmonton Standard Coal Company, Limited, and employees.
- XVI. James W. Blain, Cardiff, Alta., Coal company, and employees.
- XVII. Grand Trunk Railway Company and telegraphers and station agents.
- XVIII. British Columbia Copper Company, Greenwood, B.C., and employees.



There were in addition several other disputes, proceedings in connection with which were unfinished at the close of the financial year, strikes or lockouts in connection with which had been, however, in the meantime, necessarily postponed, if not finally averted.

#### SOME NOTABLE SUCCESSES.

In several instances the agreement or adjustment effected as a result of inquiry was a notable success and is worthy of special comment. The Winnipeg Street Railway Company dispute, adjusted early in the financial year, has been already, in the introductory chapter, cited as offering a pleasing contrast with the terrible scenes surrounding the dispute involving the Philadelphia Street Railway Company; the dispute in the latter case, moreover, because of an ineffective settlement, broke out even more fiercely a year later, involving large loss of life and immense damage to property. The Board which adjusted the Winnipeg dispute was presided over by Rev. Dr. C. W. Gordon, (Ralph Connor) the famous author of "Sky Pilot" and other novels. The report was unanimous, and the agreement is effective until May 1, 1911. The number of men concerned was 600.

A dispute involving delicate points, and necessitating particularly careful handling was that between the Canadian Pacific Railway Company and its telegraph operators to the number of 1,600. The dispute arose out of the alleged unfair dismissal of an employee, always a matter most difficult of adjustment. Mr. Justice Fortin, of the Superior Court of Quebec, who had already, as chairman of various Boards, effected several agreements under the Act, presided over the proceedings, and was again successful in averting a struggle, the Board presenting a unanimous report, which was accepted by both parties.

Two disputes between the Intercolonial Railway and its employees were adjusted during the year, before Boards of Conciliation and Investigation. One concerned the roundhouse employees, affecting directly and indirectly over 1,000 hands, the other, the machinists and fitters employed on the Railway, affecting in all about 400 men. The disputes involved, in each case, alleged discrimination against certain employees. Sir George Garneau, of Quebec, was chairman of the Board in the case of the roundhouse employees, and Judge Barron, of Stratford, Ont., in the case of the machinists and fitters. In each case, after a careful investigation and negotiation between the contending parties, a unanimous conclusion was reached, agreeable to each side and accepted as an adjustment of the matters at issue.

An instance of specially rapid and effective procedure in the constitution and operation of a Board was that in the case of the Canadian Pacific Railway Company and its freight handlers at Fort William, Ont. As is set forth at some length in the report (printed elsewhere in this volume) of the special inquiry conducted by the Deputy Minister, a strike had been entered upon by the employees without reference to the Industrial Disputes Investigation Act, and in ignorance, as they subsequently stated, of the features of the Canadian law; the strikers were, as a matter of fact, mostly foreigners not long in Canada. The strike declared, friction between the parties grew rapidly, and on the third day a serious encounter occurred between the strikers and a number of special constables who had been engaged by



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the Company to protect the men who had gone to work. The Minister of Labour had been, in the meantime, in telegraphic communication with the Mayor of Fort William, with a view to having the dispute referred to a Board under the Industrial Disputes Investigation Act, the men returning to work meanwhile, and this was effected at the end of a week's strike, the men resuming work as agreed. By the Minister's direction, Mr. Acland had in the meantime left for the scene of the dispute, and facilitated the constitution and procedure of the Board. The application was formally received on August 18, the members recommended by the different parties were appointed by the Minister, by telegraph, and Mr. S. C. Young, of Fort William, was appointed chairman, on the joint recommendation of these gentlemen. The Board met for business, August 21, and, Sunday intervening, continued its labours until Tuesday, August 24, sitting all night of Monday, August 23. A unanimous agreement was eventually reached, both parties accepting, and no further trouble ensued. A satisfactory feature of the proceedings was the resolution passed by the committee representing the men stating that had they been aware of the existence of the Industrial Disputes Investigation Act they would not have failed to comply with its provisions. It will be seen that the actual time occupied in the establishment and procedure of the Board was six days only, though the formal report was not received by the Minister until a few days later. The case is an excellent example of the expedition with which the Act may be operated in case of emergency. The time, it may be added, might have been yet further shortened, but for the fact that one member of the Board had to travel from Winnipeg, and could not leave without a day's notice.

A further case that may be cited, though falling only in part within the financial year that has closed, is that of the dispute between the Shipping Companies of Montreal and the longshoremen of the port. It will be remembered that one of the first disputes arising after the enactment of the Industrial Disputes Investigation Act was between the shipping companies and the longshoremen, the latter having gone on strike before, apparently, it had been understood that the new Act would apply to their industry. It may be added that difficulties between the parties during the preceding few years had not infrequently ended in strikes. The difficulty of May, 1907, after a week's strike, was, by the intervention of the Deputy Minister of Labour referred to a Board, and an adjustment effected, which adjustment with slight modifications, was made the working basis for the succeeding seasons of 1908 and 1909. In the spring of 1910, however, the men sought a substantial change in the arrangement, and failing to secure this by negotiations demanded a Board. The Companies protested against the establishment of a Board, on various grounds, but the objections being over-ruled, both parties went into the inquiry with a spirit of apparent conciliation. Mr. Justice Fortin was chairman of the Board, and his previous experience in this capacity, noted above in a reference to the settlement effected in the case of the Canadian Pacific Railway Company and its telegraph operators, proved invaluable in the attempt to procure an adjustment in the present case. The proceedings of the Board, which occurred at the beginning of the financial year 1910-11, resulted in an agreement acceptable to all the Companies and to the employees; a particularly satisfactory feature being that it was made effective for the period of five years, while an arrangement was made for the reference, in the meantime, of any disputes as to the working of the agreement to a



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permanent Board of Arbitration established by the parties jointly. It should be added that each party deposited with the Royal Trust Company, of Montreal, a sum of \$2,000, in token of good faith, and as a guarantee of the due performance of the agreement. This agreement promises to give the parties concerned a long cessation from serious friction and affords a pleasant contrast with the condition of constantly recurring strikes that formerly existed. It is believed also that the example may not be without its effect in the case of longshoremen elsewhere, as well as in the case of disputes affecting workmen in other lines. The number of men concerned in this dispute was 1,800, but this number, considerable as it is, represents an interest relatively slight, when compared with the overwhelming interest of the public in the regular continuance of labour in connection with the loading and unloading of ships at the great port of Montreal.

#### OTHER BENEFITS ACCOMPLISHED.

As an illustration of the beneficial nature of the work frequently accomplished by Boards of Conciliation and Investigation may be cited the dispute between the Alberta Coal Mining Company and its employees at Edmonton, Alta., regarding the settlement of which Mr. George S. Montgomery, General Manager of the Company, in the course of a letter to the Department dated April 9th, 1910, stated as follows:

“The differences between the parties were caused by misunderstandings, and were exaggerated by outside parties, and so far as the management of the mine is concerned there will be no further trouble.

“We are pleased to be able to refer differences to such a Board as is established under the law, for without this recourse there would have been either a strike or a lockout and the mine would have been idle during the busy portion of the year.”

It has been on previous occasions pointed out that in addition to the direct effect of the Act through Boards of Conciliation and Investigation, there is what may be termed the more silent influence exerted without the actual establishment of the Board. Evidences come to the Department from time to time of many such cases, though obviously much influence is being continually exerted without knowledge of the same necessarily reaching the Department at all. Illustration of the good effects of the Act otherwise than through the establishment of a Board is furnished in the case of a dispute between the Michigan Central Railway Company and certain of its employees employed in Canada as maintenance-of-way men. In this case an application reached the Department, but, being held because lacking certain essentials required by the Act, a correspondence followed between the Department, the railway management, and the employees, respectively, as a result of which a settlement was effected without the establishment of a Board. Writing on the subject under date of May 3, 1910, Mr. A. B. Lowe, President of the International Brotherhood of Maintenance-of-Way Employees, stated as follows:

“I am giving the Lemieux Act full credit for this increase and for the fact that the committee was met, and that there can be no doubt about the Lemieux Act deserving the credit which I am giving it. I



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may state that on the United States side of the line where we have no such act in force, but where by far the largest part of the Michigan Central is located, no committee was asked for their opinion about what they should get for their labour, although they have been pressing for a meeting, but they were simply given the rates agreed upon on the Canadian side. 'Tally one' for the Department of Labour and the Lemieux Act!"

## FOUR STRIKES AFTER INVESTIGATION.

In connection with each of the thirty disputes dealt with by the Department sworn statements were furnished to prove that, failing an adjustment of the differences or a reference of the same under the Industrial Disputes Investigation Act, a strike or lockout, as the case might be, would be declared.

From the table which is published herewith it will be seen that there were only four cases in which the strikes were not either averted or ended. Three of these were in the coal mining industry, two of the number relating in the main, not to rules or hours of labour, but to the question of the recognition of certain labour unions. One of the disputes occurred in the metal mining industry and was mainly concerned, like the cases above mentioned, with the subject of union recognition. In each of the remaining disputes referred under the Act, the investigation before the Board resulted either in a direct agreement between the parties, or in effecting such an improvement in their relations that no cessation of work occurred.

It may be said, also, that in cases where members of the Board disagreed in their findings, or where one of the parties to a dispute stood apart from the inquiry as far as voluntary action was concerned, inquiry has none the less resulted in a clear understanding of conditions on the one side or the other, and a change of attitude, which has been effective in averting the threatened trouble.

The four cases in which strikes were not either averted or terminated during the third year's operation of the Act were briefly as follows:

1. A dispute between the Nicola Valley Coal and Coke Company and its employees to the number of 150, in which the latter went on strike whilst proceedings were pending for the establishment of a Board of Conciliation and Investigation, and the mines were closed down until after the investigation was finished, when operations were resumed, the men being engaged under new conditions. In a letter from the Company, dated June 15, 1909, to the Department, it was stated that an understanding, which is understood to have been promoted by the inquiry, had been reached between the management and the men.

2. A dispute between the British Columbia Copper Company and its employees to the number of 225, a strike being declared on June 26, 1909, in which the employees demanded recognition of the Western Federation of Miners, and continuing until July 24, 1909, when a settlement was effected.

3. A dispute between the Dominion Coal Company of Glace Bay, C.B., and



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certain of its employees, to the number of 3,000, in which the latter refused to abide by the finding of the Board, a strike being declared on July 6, 1909, in which recognition was sought for the United Mine Workers of America. A considerable number of the Company's employees, members of the Provincial Workmen's Association, declined to participate in the strike, and on December 31, 1909, renewed for a period of two years the agreement which the Dominion Coal Company had entered into with that organization on March 16, 1908, which was based on the award of a Board of Conciliation and Investigation, established under the Industrial Disputes Investigation Act. It is claimed by the Company that the output of coal from its mines, during the winter months, had practically ceased to be affected, although a considerable number of workmen, members of the United Mine Workers of America, still remained on strike. The strike was continued, however, until April 28, 1910, when the men, then numbering about 1,300, returned to work, substantially on the lines recommended in the report of the Board. A further statement of the circumstances of this important strike and of that mentioned in the next paragraph (at Springhill, N.S.) will be found in that portion of the present volume dealing with the special report of the Deputy Minister on industrial conditions in the coal fields of Nova Scotia. The report of the Board of Conciliation and Investigation also will be found in the appendix.

4. A dispute between the Cumberland Railway and Coal Company, of Springhill, N.S., and its employees to the number of 1,700, relating in the main to recognition of the United Mine Workers' organization, to which the employees in question belonged. A strike was called on August 9, 1909, which resulted in the closing down of the Company's mines. Operations were resumed on a limited scale early in the month of March, 1910, but a considerable number of the Company's former employees still remained on strike at the close of the fiscal year, and matters had not materially changed at the time this report was written.

It may be desirable to indicate at this juncture what has been already briefly mentioned in the introductory chapter, the general character, namely, of the disputes in which occurred the strikes above mentioned. It will be noticed that in each case the direct issue was the recognition of the union, and not any questions involving wages or hours or conditions of work. There is probably no other question in which the parties concerned are so little susceptible to the process of conciliation or where investigation can hope to accomplish so little, as in disputes of this nature. A complete surrender by one side or the other of ideas wholly divergent would appear to be the only means of settlement, and the main achievement of an inquiry under such circumstances is likely as a rule to be that of placing before the public a plain impartial settlement of the case, with findings accordingly. In the event then of lockout or strike the public is in a position to determine as to the degree of responsibility attaching to either party. Experience has shown so far that the disposition of the public is to uphold the findings of the Board and that a lockout or strike declared in face of such findings fails of public support and is foredoomed as a rule to failure as a consequence. It is possible that con-



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tinued experience of the present Act will demonstrate to the parties to a dispute the futility of opposing the carefully considered judgment of a Board of Conciliation and Investigation.

## STRIKES OCCURRING BEFORE OR WITHOUT INQUIRY UNDER THIS ACT.

There remain to be noticed instances in which strikes were declared without reference to the Act, though in some cases a Board was subsequently established.

On March 31, 1909, a strike was declared of coal miners, to the number of 2,100, employed in the mines controlled by the members of the Western Coal Operators' Association, in Alberta and in British Columbia, on the expiry of the agreement, under which they had previously been employed. On May 3, 1909, application was made to the Minister of Labour for the establishment of a Board, the report of which was received in the Department on June 21, 1909. The Department was shortly afterwards informed that a two years' agreement was signed between the parties on June 30, 1909, which was based on the report of the Board.

On April 23, 1909, a strike was declared of coal miners to the number of 300, employed by the Canada West Coal Company, Limited, of Taber, Alberta, in consequence of failure to agree upon the terms and conditions of a working agreement to take the place of an agreement which had expired on March 31, 1909. On June 10, application was made to the Minister of Labour for the establishment of a Board, the report of which was received on July 19. The Department was advised on August 2 that, on receipt of the Board's report, negotiations were resumed between the parties and an agreement was reached on July 31, effective to March 31, 1911.

A strike occurred on May 7, 1909, of longshoremen to the number of 200, employed by the Canadian Pacific Railway Company at Owen Sound. The strikers returned to work on May 10, 1909, when application was made for the establishment of a Board of Conciliation and Investigation. The report of the Board provided for increased rates of wages to the employees concerned, and was accepted by both parties to the dispute.

On July 9, 1909, a strike of employees of the Inverness Railway and Coal Company, of Inverness, C.B., was declared, without any reference under the terms of the Act. This strike was one of the series growing out of the friction between the United Mine Workers of America and the Provincial Workmen's Association of Nova Scotia, and is fully discussed in the chapter of the volume in which is printed the report of the special inquiry conducted by the Deputy Minister of Labour into the industrial conditions in the coal mines of Nova Scotia. The strike was effective for a few weeks only, but a number of the former employees remained in receipt of strike relief for several months, and during October an action was brought by the employing Company against David Neilson, the agent at Inverness of the United Mine Workers of America, on the grounds that he was supporting the strike contrary to the provisions of the Industrial Disputes Investigation Act. Mr. F. A. MacEchen, stipendi-



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ary magistrate, convicted Mr. Neilson of an infringement of the Industrial Disputes Investigation Act, and imposed a penalty of \$500 or three months' imprisonment. The conviction was appealed to the Court of Appeal, and a decision on the appeal had not been given at date of writing.

A strike occurred on August 9, 1909, of 1,200 freight handlers employed by the Canadian Pacific Railway Company, at Fort William. The strikers, the great majority of whom were foreigners, returned to work on August 16, 1909, when application was made for the establishment of a Board, the strikers in their application stating that the strike was declared in ignorance of the Canadian law. The report of the Board, providing for increased rate of wages to the employees, was accepted by both parties to the dispute. The report of a special inquiry conducted by the Deputy Minister into this dispute is printed elsewhere.

On March 12, 1910, the attention of the Minister of Labour was drawn to statements appearing in the press, representing that certain freight handlers in the employ of the Grand Trunk Railway Company, at Toronto, had gone on strike without the matters in dispute having first been investigated by a Board of Conciliation and Investigation appointed under the terms of the Industrial Disputes Investigation Act, and an officer of the Department, Mr. J. D. McNiven, was immediately dispatched to Toronto to represent to the employees concerned the requirements of the Industrial Disputes Investigation Act, 1907, so that they might not, in ignorance of such requirements, take action contrary thereto. Mr. McNiven, in conversation with the local officials of the Canadian Brotherhood of Railroad Employees, to which the employees in question belonged, learned that the parties concerned were ignorant of the provisions of the Industrial Disputes Investigation Act, and was also informed that a reference of the dispute to a Board under the Act would be considered as greatly preferable to a general strike, and that if the matter was not satisfactorily adjusted otherwise, it would be referred to a Board for inquiry on the lines required by the Act. The strike occurred on March 11, and lasted only a portion of the afternoon. Negotiations for settlement were then resumed, and there has been no recurrence of trouble since. An increase of one per cent per hour was granted by the Grand Trunk management to the freight handlers and checkers in its employ at Toronto.

#### PROCEEDINGS IN PROGRESS.

At the close of the fiscal year reports had not as yet been received in the following cases in which applications had been received, and Boards had been in most instances established, namely:—

Alberta Coal Mining Company, of Cardiff, Alta., and its employees, to the number of thirty-five, directly, and twenty-five, indirectly.

Canadian Pacific Railway Company, and its conductors, baggagemen, brakemen and yardmen, to the number of 4,360.

Grand Trunk Railway Company, and its conductors, baggagemen, brakemen and yardmen, to the number of 3,017.



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Toronto, Hamilton and Buffalo Railway Company, and its conductors, baggagemen, brakemen and yardmen, to the number of 101.

Grand Trunk Pacific Railway Company, and its telegraph and station employees, to the number of 75.

Dominion Atlantic Railway Company, and its employees, to the number of four, directly, and twenty-five indirectly.

The Shipping Federation of Canada, comprising various lines of steamships navigating to Montreal, and the Syndicated Longshoremen of the port of Montreal.

DEPARTMENT OF LABOUR, CANADA.  
STATISTICAL TABLE X, A. R., No. 2.

## INDUSTRIAL DISPUTES INVESTIGATION ACT, 1907.

Table showing Proceedings under Act from March 31, 1909, to March 31, 1910.

Applications concerning disputes in mines and public utilities.								Applications concerning disputes in industries other than mines and public utilities.	Total applications under Act.
29 <sup>1</sup>								1	30
Concerning mines and smelters.		Concerning transportation and communication.				Concerning civic employees.		Disputes referred by consent of parties concerned under sec. 63 of I.D.I. Act, 1907.	
11		17				1		1	30
Coal mines	Metalliferous mines.	Railways.	Street Railways.	Longshoremen.	Freight Handlers.	Teamsters.			
<sup>2</sup> Strikes averted or ended	6	1	12	1	2	1	1	1	26
Strikes not averted or ended.....	3	1	0	0	0	0	0	0	4

<sup>1</sup>The proceedings under the Act during this year included three cases in which certain proceedings had taken place also during the preceding year, viz.:—(1) a dispute between the Manitoba Cartage Company of Winnipeg, Man., and its employees; (2) a dispute between the Kingston & Pembroke Railway Company and its employees; and, (3) a dispute between the Dominion Coal Company of Glace Bay, Cape Breton, and its employees.

<sup>2</sup>At the close of the financial year results were still pending in connection with seven applications, namely: (1) application made on behalf of the Alberta Coal Mining Company, of Cardiff, Alta., and employees; (2) application made on behalf of the conductors, baggagemen, brakemen and yardmen of the Toronto, Hamilton & Buffalo Railway Company; (3) application made on behalf of conductors, baggagemen, brakemen and yardmen of the Canadian Pacific Railway Company; (4) application made on behalf of conductors, baggagemen, brakemen and yardmen of the Grand Trunk Railway Company; (5) application made on behalf of the Syndicated Longshoremen of the Port of Montreal and various Steamship Companies navigating to Montreal; (6) application made on behalf of telegraphers and station employees of the Grand Trunk Pacific Railway Company; and (7) application made on behalf of the employees of the Dominion Atlantic Railway Company.

## PROCEEDINGS FOR THE THREE YEARS, MARCH 22, 1907, TO MARCH 31, 1910.

The total number of applications under the terms of the Industrial Disputes Investigation Act received during the three years which have elapsed since the enactment of this statute in March, 1907, is eighty-two, of which thirty-five were received during the year ending March 31, 1908; twenty during the year ending March 31, 1909; and twenty-seven during the year ending March 31, 1910. The number of employees estimated to have been affected



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in the eighty-two disputes is 85,500. Of the total number of applications thirty-four related to the industry of coal mining, six to metalliferous mining, thirty-eight to agencies of transportation, one to municipal public utilities, and three to industries other than mines and public utilities to which the Act primarily applies. The special trades or callings involved in these disputes included those of coal miners, silver miners, copper miners, conductors, locomotive engineers, station agents, railway telegraphers, brakemen, firemen, baggagemen, freight clerks, machinists, mechanics, (including boilermakers, blacksmiths, steamfitters and gas fitters); round house employees, maintenance-of-way employees, cabmen, freight handlers, longshoremen, lake seamen, street railway employees, teamsters, municipal employees, cotton mill operatives, and boot and shoe workers.

In the very large majority of cases the matters at issue related to hours, wages or conditions of labour; and in only two of the cases in which wages or hours were directly concerned have proceedings under the Act failed to avert the threatened strike. There have been in all six instances during the three years in which strikes have occurred after the reference of disputes under the terms of the Act. One of these six disputes concerned the railway industry, the other five related to the mining industry and in four cases had to do in whole or in part with the question of alleged discrimination against or the recognition of certain labour unions.

The six cases in question are as follows:—(1) Cumberland Railway and Coal Company of Springhill, N.S., and its employees; (2) Canadian Pacific Railway Company and its mechanical employees; (3) Nicola Valley Coal and Coke Company of Middlesboro, B.C., and its employees; (4) British Columbia Copper Company of Greenwood, B.C., and its employees; (5) Dominion Coal Company of Glace Bay, Cape Breton, and its employees; and (6) Cumberland Railway and Coal Company of Springhill, N.S., and its employees. In No. 1, the strike lasted from August 1, 1907, to August 31, 1907, when the employees returned to work on the conditions recommended in the report of the Board. In No. 2, the strike lasted from August 5, 1908, to October 5, 1908, when the employees returned to work on the conditions recommended in the report of the Board. In No. 3 the employees went on strike on April 28, during the process of establishing a Board, and returned to work early in June on lines recommended by the Board. In No. 4 the strike lasted from June 28 to July 24; in this case several reports were put in by the members of the Board, and the settlement was on the lines substantially of the Chairman's recommendations. In No. 5 the strike lasted from July 6, 1909, to April 28, 1910, when the employees returned to work on the lines recommended in the report of the Board, with such modifications as had been made in the same by an agreement subsequently effected. In No. 6 the strike was declared on August 9, 1909, and was continuing at the date of writing; it should be noted that the parties concerned in Nos. 1 and 6 are identical. The four cases, Nos. 3, 4, 5 and 6, included in the above and falling within the financial year 1909-10, have been dealt with somewhat more fully in the analysis of the disputes referred for inquiry during the fiscal year 1909-10.



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## STATISTICAL TABLES.

Statistical tables follow showing:

(1) The proceedings under the Act from the date of its enactment, March 22, 1907, to the close of the financial year, March 31, 1910.

(2) Proceedings under the Act by calendar years, 1907 to 1910.

(3) Proceedings under the Act in detail for the three fiscal years covering the life of the Act, and ending respectively March 31, 1908, March 31, 1909, and March 31, 1910.

DEPARTMENT OF LABOUR, CANADA,  
STATISTICAL TABLES, X., A. R. No. 3.

## INDUSTRIAL DISPUTES INVESTIGATION ACT, 1907.

Table showing Proceedings under Act from March 22, 1907, to March 31, 1910.

Applications concerning disputes in mines and public utilities.										Applications concerning disputes in industries other than mines and public utilities.	Total applications under Act.
79										3	82
Concerning mines and smelters.		Concerning transportation and communication					Concerning civic employees		Disputes referred by consent of parties concerned under sec. 63 of I.D.I. Act, 1907.		
40		38					1		3		82
Coal mines.		Metalliferous mines.		Railways.	Street railways.	Longshoremen.	Freight-handlers.	Teamsters.	Sailors.		
*Strikes averted or ended	30	5	26	4	3	2	1	1	1	3	76
Strikes not averted or ended.	4	1	1	0	0	0	0	0	0	0	6

\*At the close of the financial year results were still pending in connection with seven applications, namely (1) application made on behalf of the Alberta Coal Minning Company, of Cardiff, Alta., and employees; (2) application made on behalf of the conductors, baggagemen, brakemen and yardmen of the Toronto, Hamilton and Buffalo Railway Company; (3) application made on behalf of conductors, baggagemen, brakemen and yardmen of the Canadian Pacific Railway Company; (4) application made on behalf of conductors, baggagemen, brakemen and yardmen of the Grand Trunk Railway Company; (5) application made on behalf of the Syndicated Longshoremen of the Port of Montreal employed by various steamship companies navigating to Montreal; (6) application made on behalf of telegraphers and station employees of the Grand Trunk Pacific Railway Company; and (7) application made on behalf of the employees of the Dominion Atlantic Railway Company.

## INDUSTRIAL DISPUTES INVESTIGATION ACT, 1907.

TABLE SHOWING PROCEEDINGS BY CALENDAR YEARS.

DEPARTMENT OF LABOUR, CANADA,  
STATISTICAL TABLES, X. A. R., No. 4.

	<sup>1</sup> 1907 9 months.	1908	1909	<sup>2</sup> 1910 3 months.	Total.
Number of applications	25	27	22	8	82
Number of Boards granted.	22	25	21	<sup>3</sup> 7	75
Strikes averted or ended.....	24	26	28	8	76
Strikes not averted or ended....	1	1	4	0	6

<sup>1</sup>The Act became law on March 22, 1907, so that the proceedings cover nine months only.

<sup>2</sup>To the end of the financial year, March 31.

<sup>3</sup>In the majority of cases when applications were received during the three months of the fiscal year 1910-11 included in the calendar year 1910 the proceedings remained unfinished on March 31, 1910.

<sup>4</sup>A Board was appointed early in the financial year 1910-11 on account of one of the applications received in the closing weeks of the financial year 1909-10.



INDUSTRIAL DISPUTES INVESTIGATION ACT, 1907.

(PROCEEDINGS 1907-1908.)

*Summary of Applications for Boards of Conciliation and Investigation and of Proceedings thereunder from March 22, 1907, to March 31, 1908.*

A. — MINES, AGENCIES OF TRANSPORTATION AND COMMUNICATION, AND OTHER PUBLIC SERVICE UTILITIES.

- 1. Appointed by the Minister, under sec. 8, sub-sec. 1, of the I.D.I. Act, on recommendation from party concerned.
- 2. Appointed by the Minister, under sec. 8, sub-sec. 2, of the I.D.I. Act, in the absence of a recommendation from party concerned.
- 3. Appointed by the Minister, under sec. 8, sub-sec. 3, of the I.D.I. Act, on the joint recommendation of the two members first appointed.
- 4. Appointed by the Minister, under sec. 8, sub-sec. 4, of the I.D.I. Act, in the absence of a joint recommendation by the two members first appointed.

MINING AND SMELTING INDUSTRY.  
DEPARTMENT OF LABOUR, CANADA,  
STATISTICAL TABLES, X. A. R., No. 5.  
1. Coal Mines.

Date of receipt of application.	Parties to Dispute.	Party making application.	Locality.	No. of persons affected.	Nature of Dispute.	Names of Members of Board: (C) Chairman; (E) Employer; (M) Men.	Date on which Board was constituted	Date of receipt of report of Board.	Result of Reference.
1907. April	Sutherland Railway & Employ- ment Coal Company and em- ployees.	Employer <sup>2</sup>	Springhill, N.S.	170	Concerning employ- ment of non-union workmen.				On April 1, employees went on strike. It was alleged by employees that they were under impression that the mines of Nova Scotia were exempt from provisions of Act. When it was explained Act ap- plied to all Canada, employees re- turned to work April 8. Difficulty amicably settled. No Board con- stituted.
April	9 Canada West Coal & Employ- ment Coke Company and employees.	Employers	Edmonton, Alta	150	Concerning hours of labour.				On April 1, employer locked out employees. Employer alleged that this was done in ignorance of pro- visions of Act. When informed of provisions of Act by department, mines were re-opened on April 18. Subsequently an amicable settle- ment was effected through inter- vention of Mr. J. D. McNiven, Fair Wages Officer of Department. No Board constituted.

<sup>1</sup>It is important to note in connection with these disputes that the Industrial Disputes Investigation Act was not assented to till March 22, 1907. It was some weeks later before copies of the Act were available for distribution. Its provisions in consequence were not fully known by the parties at the time these disputes occurred.

<sup>2</sup>Applications for a Board were received also from the employers, parties to this dispute.



## SESSIONAL PAPER No. 36.

April	9 <sup>2</sup> Western Coal Operators Association and employees Canadian American Coal & Coke Company.....	.....	Concerning terms of Sir Wm. Mulock, K.C.M.G., (C) <sup>1</sup> joint agreement, including wages' schedule and other conditions of employment.	April 22 <sup>1</sup> May	29
	Frank, Alta.....	250	J. L. Parker, (E) <sup>1</sup> L. P. Eckstein, (M) <sup>1</sup>		Employees went on strike in the several mines while proceedings were pending in connection with the establishment of the Boards of Conciliation and Investigation, in consequence, it was alleged, of misunderstandings which arose through ignorance of the provisions of the Act. The Deputy Minister of Labour left for Fernie on April 19, to explain to the parties the provisions of the law. While in Fernie, the parties consented to his intervention as a conciliator under the Conciliation Act, 1900, and an agreement was effected on May 4. The Boards convened at Fernie on April 30, but adjourned proceedings pending investigations by the Deputy Minister. On May 6th the Boards reconvened to receive from the parties a formal statement that the differences had been adjusted, a further cessation of work being thereby averted. An important feature of the settlement was the establishment of a standing committee of conciliation between the employers and employees, to which future differences were to be referred.
	Crow's Nest Pass Coal Company.....	1,800	Sir Wm. Mulock, K.C.M.G., (C) <sup>1</sup>		
	International Coal & Coke Company.....	370	F. B. Smith, (E) <sup>1</sup> L. P. Eckstein, (M) <sup>1</sup>		
	West Canadian Collieries, Limited.....	350			
	Breckenridge and Lund Coal Company...	125			
	H. W. McNeill Coal Company.....	300			
	Pacific Coal Company...	400			
May	8 Cumberland Railway & Employees Coal Company and employees.	1,700	The Hon. Mr. Justice Graham (C) <sup>3</sup> P. S. Archibald (E) <sup>1</sup> R. B. Murray, (M) <sup>1</sup>	May 17 July 13	Board being unable to effect a settlement by conciliation, presented a report signed by the Chairman and Mr. Archibald. Minority report was presented by Mr. Murray. The recommendations of the Board were not accepted by the employees. The strike which was threatened prior to the application for Board on May 8th was averted for the time being but took place on August 1 continuing until October 31, when the employees returned to work on the conditions recommended in the report of the Board.



INDUSTRIAL DISPUTES INVESTIGATION ACT—Continued.

Date of receipt of application.	Parties to Dispute	Party making application	Locality.	No. of persons affected.	Nature of Dispute.	Names of Members of Board: (C) Chairman; (E) Employer; (M) Men	Date on which Board was constituted.	Date of receipt of report of Board.	Result of Reference.
1907. May 27	Alberta Railway and Irrigation Coal Company and employees of coal mines	Employees	Lethbridge, Alta	400	Concerning conditions of employment				Amicable settlement, including agreement as to conditions of employment and establishment of a standing committee of conciliation effected between parties while Board was in process of constitution, strike being thereby averted.
July 12	Intercolonial Railway and Coal Company and employees.	Employees	Springhill, N.S.	1,700	Concerning wages and other conditions of employment.	His Honour Judge Wilson (C) <sup>4</sup> P. S. Archibald (E) <sup>1</sup> R. B. Murray, (M) <sup>1</sup>	27 Sept.	21 Sept.	Employees declared a strike on August 1, in reference to question of payment for stone in pillar work, having refused to accept the recommendations of the Board appointed May 17 to deal with this subject. In virtue of this strike, proceedings before the Board were suspended until September 9, when the Board sat for two days, and presented an interim report. The strike ended on October 31, the employees returning to work on the conditions recommended in the report of the first Board.
Sept. 16	Hosmer mines and employees	Employees	Hosmer, B.C.	100	Concerning wages and other conditions of employment	His Honour Judge Wilson (C) <sup>4</sup> F. B. Smith (E) <sup>1</sup> F. H. Sherman (M) <sup>1</sup>	30 Sept.	21 Oct.	The Board presented a unanimous report, which though not formally accepted by the parties, formed the basis of an agreement subsequently reached by them and reported to the Department, a strike being thereby averted.
Sept. 18	Hillcrest Coal & Coke Company, Limited, and employees.	Employees	Hillcrest, Alta	70	Concerning wages and other conditions of employment.	Hon. C. W. Fisher, (C) <sup>4</sup> J. R. McDonald, (E) <sup>1</sup> F. H. Sherman, (M) <sup>1</sup>	24 Nov.	4	The report of the Board was accompanied by a minority report by Mr. Sherman. Though neither report was formally accepted by the parties, a settlement was reached in consequence of the inquiry by the Board, and a strike thereby averted.



## SESSIONAL PAPER No. 36.

Nov.	5	Canada West Coal & Coke Company and employees.	Employees	Taber, Alta.	150	Concerning hours and other conditions of employment.	wages, and other conditions of employment.	Hon. Mr. Justice Stuart (C) <sup>1</sup> S. A. Jones (E) <sup>1</sup> F. H. Sherman (M) <sup>1</sup>	Nov.	20	Dec.	20	Differences adjusted, and agreement concluded before Board, dating from December 9, 1907, until March 31, 1909, a strike being thereby averted.
Nov.	5	Domestic Coal Company and employees.	Employees	Taber, Alta.	50	Concerning hours and other conditions of employment.	wages, and other conditions of employment.	Hon. Mr. Justice Stuart (C) <sup>1</sup> R. Duggan (E) <sup>1</sup> F. H. Sherman (M) <sup>1</sup>	Nov.	20	Dec.	28	Differences adjusted, and agreement concluded before Board, dating from December 9, 1907, until March 31, 1909, a strike being thereby averted.
Nov.	5	Duggan Huntrods & Company and employees.	Employees	Taber, Alta.	40	Concerning hours and other conditions of employment.	wages, and other conditions of employment.	Hon. Mr. Justice Stuart (C) <sup>1</sup> J. Shorthouse (E) F. H. Sherman (M) <sup>1</sup>	Nov.	20	Dec.	28	Differences adjusted, and agreement concluded before Board, dating from December 9, 1907, until March 31, 1909, a strike being thereby averted.
Nov.	12	Stratheona Coal Company and employees.	Employees	Edmonton, Alta.	40	Concerning hours and other conditions of employment.	wages, and other conditions of employment.	G. Montgomery (C) <sup>3</sup> F. L. Otter (E) <sup>1</sup> F. H. Sherman (M) <sup>1</sup>	Dec.	2	Dec.	28	Differences adjusted, and agreement concluded before Board, dating from September 23, 1907, until March 31, 1909, a strike being thereby averted.
Nov.	21	Cumberland Railway & Coal Company and employees.	Employees	Springhill, N.S.	1,700	Concerning hours and other conditions of employment.	wages, and other conditions of employment.	His Honour Judge Patterson (C) <sup>1</sup> R. B. Murray (M) <sup>1</sup> Hiram Donkin (E) <sup>2</sup>	Dec.	24	Jan.	22	The Board presented a unanimous report, which the employees expressed a willingness, and the Company an unwillingness to accept. No further cessation of work took place.
Jan.	4	Dominion Coal Company, Limited, and members of the Provincial Workmen's Association.	Employees	Dominion, C.B.	7,000	Concerning hours and other conditions of employment.	wages, and other conditions of employment.	Prof. A. Shortt (C) <sup>1</sup> J. Dix Fraser (E) <sup>1</sup> Dr. A. Kendal, M.P.P. (M) <sup>1</sup>	Feb.	18	Mar.	23	Differences adjusted and an agreement concluded before the Board effective from March 16, 1908, to December 31, 1909, a strike being thereby averted.
Feb.	10	John Marsh, John Howells, Stevens Brothers, coal mine operators, dealt with as a whole and employees.	Employees	Woodpecker, Alta.	100	Concerning hours and other conditions of employment.	wages, and other conditions of employment.	Hon. Mr. Justice Stuart (C) <sup>3</sup> W. E. Bullock (E) <sup>1</sup> F. H. Sherman (M) <sup>1</sup>	Feb.	25	April	6	The report of the Board stated that the Act did not apply in this case, the mines having closed down for lack of orders before the investigation occurred. A wage scale was, however, recommended. The report was accompanied by a minority report, making other recommendation.
Mar	16	Western Dominion Collieries, Limited, and employees.	Employees	Taylorton, Sask.	90	Concerning hours and other conditions of employment.	wages, and other conditions of employment.	His Honour Judge Myers (C) <sup>1</sup> J. O. Hannah (E) <sup>1</sup> F. H. Sherman (M) <sup>1</sup>	April	10	May	5	Differences adjusted and agreement concluded before Board, effective from May 1, 1908, to May 1, 1909, a strike being thereby averted.

1908



1 GEORGE V., A. 1911

## INDUSTRIAL DISPUTES INVESTIGATION ACT—Continued.

Date of receipt of application.	Parties to Dispute.	Party making application.	Locality.	No. of persons affected.	Nature of Dispute.	Names of Members of Board: (C) Chairman; (E) Employer; (M) Men.	Date on which Board was constituted.	Date of receipt of report of Board.	Result of Reference.
1908. Mar. 16	Manitoba & Saskatchewan Coal Company, Limited, and employees	Employees	Bienfait, Sask...	50	Concerning wages and hours.	His Honour Judge Dawson (C) <sup>1</sup> G. C. Lowe (E) <sup>1</sup> F. H. Sherman, (M) <sup>1</sup>	April 22	Dec. 8	The report in this case appears as represented to the Department, to have been mislaid by one of the members of the Board and an unusual delay occurred thereon in its presentation. The Board disagreed in its findings, but no cessation of work was reported.
Mar. 25	Cumberland Railway & Coal Company, Limited, and employees.	Employees	Springhill, N.S.	1,600	Concerning wages	His Honour Judge Wallace (C) <sup>1</sup> Hon. John Armstrong (E) <sup>2</sup> R. B. Murray (M) <sup>1</sup>	April 29	May 26	The report found against the claims of the men, and was accompanied by a minority report, finding generally, but not wholly, in favour of the men. The employees declared the minority report acceptable to them. No cessation of work was reported.

## 2. Metal Mines.

1907. Sept. 12	Canadian Consolidated Mining & Smelting Company and employees.	Employees	Moyie, B.C....	400	Concerning wages and hours.	His Hon. Judge Wilson (C) <sup>3</sup> J. A. Harvey (E) <sup>1</sup> S. S. Taylor, K.C. (M) <sup>1</sup>	Sept. 23	Dec. 28	The Board after an exhaustive inquiry into mining conditions in British Columbia, presented a unanimous report, the recommendations of which were of general application to the metal mining industry in the Province of British Columbia. A settlement based on the recommendations was effected between the Company and its employees, and a strike thereby averted. The inquiry, moreover, had the effect of influencing the settlement of other differences in the industry in other parts of the Province.
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SESSIONAL PAPER No. 36.

Dec.	9	McKinley-Darragh Mining Company, Limited, and its employees.	Employees	Cobalt, Ont.....	120	Concerning wages	Prof. A. Shortt, (C) <sup>3</sup> E. C. Kingswell (E) <sup>1</sup> John A. Welch, (M) <sup>1</sup>	21 Jan.	22	A unanimous report was presented by the Board, making recommendations for the settlement of the dispute. The findings of the Board were not formally accepted by the parties, but the investigation by the Board is believed to have been beneficial to the camp as a whole, and no cessation of work was reported.
1908.										
Jan.	9	Temiskaming & Hudson Bay Mining Company, Limited, and its employees.	Employees	Cobalt, Ont..	50	Concerning and hours.	Prof. S. J. Maclean, Jan. (C) <sup>4</sup> M. F. Purnaville (E) <sup>1</sup> C. B. Duke (M) <sup>1</sup>	31 Feb.	13	Unanimous report was presented by Board making recommendations for the settlement of the dispute. The findings of the Board were accepted by the men, but not by the Company. No cessation of work was, however, reported.

II. TRANSPORTATION AND COMMUNICATION.

1. Railways.

1907.										
April	20	Grand Trunk Railway Company of Canada and machinists.	Employees	Montreal, Ottawa, Toronto, Stratford etc.	400	Concerning schedule involving wages, hours, apprenticeship, re-instatement of former employees, etc.	Prof. A. Shortt, (C) <sup>4</sup> W. Nesbitt, K.C. <sup>1</sup> (E) <sup>1</sup> J. G. O'Donoghue, (M) <sup>1</sup>	4 May	21	Differences adjusted, and agreement concluded before Board for period of one year from May 1, strike being thereby averted.
June	27	Grand Trunk Railway Company of Canada and its locomotive engineers.	Employees	Montreal, Ottawa, Toronto, Stratford etc.	1,300	Concerning schedule of wages and rules.	Prof. A. Shortt, (C) <sup>4</sup> W. Nesbitt, K.C. <sup>1</sup> (E) <sup>1</sup>	18 Aug.	16	Differences adjusted, and agreement for three years concluded before Board, a strike being thereby averted.
July	10	Intercolonial Railway of Canada and freighthandlers in its employ at Halifax, N.S.	Employer	Halifax, N.S.	250	Concerning wages and classification of employees.	J. Cardell (M) <sup>1</sup> Prof. W. Murray, July (C) <sup>3</sup> Henry Holgate (E) <sup>1</sup> R. E. Finn, M.P.P., (M) <sup>1</sup>	22 Aug.	12	On June 29, employees went on strike, and when informed that provisions of Act applied, both parties agreed to refer the differences under the Act, and employees returned to work. On the request of the parties, proceedings were subsequently adopted under the Conciliation and Labour Act, and a settlement effected, the terms of which were made applicable to the Railway's employees at St. John, N.B., as well as at Halifax, N.S., and further cessation of work was thereby averted.



## DEPARTMENT OF LABOUR

1 GEORGE V., A. 1911

## INDUSTRIAL DISPUTES INVESTIGATION ACT—Continued

Date of receipt of application	Parties to Dispute.	Party making application	Locality.	No. of persons affected.	Nature of Dispute.	Names of Members of Board: (C) Chairman; (E) Employer; (M) Men.	Date on which Board was constituted.	Date of receipt of report of Board.	Result of Reference.
1907.									
Sept. 5	Canadian Pacific Railway Company and railroad telegraphers.	Employees	On all lines of Canadian Pacific Railway in Canada.	1,656	Concerning schedule of wages and rules of employment.	Prof. A. Shortt, (C) <sup>13</sup> W. Nesbitt, K.C., (E) <sup>14</sup> J. G. O'Donoghue, (M) <sup>15</sup>	16 Oct.	12	Differences adjusted, and an agreement concluded before Board, dating from October 1, a strike being thereby averted.
1908									
Nov. 19	Grand Trunk Railway Company and railroad telegraphers.	Employer	Montreal, Que.	300	Concerning wages and other conditions of employment.	Prof. A. Shortt, (C) <sup>16</sup> W. Nesbitt, K.C., (E) <sup>17</sup> J. G. O'Donoghue, (M) <sup>18</sup>	30 Jan.	23	Differences adjusted, and agreement concluded before Board, dating from January 1, 1908, a strike being thereby averted.
1907									
Nov. 22	Canadian Pacific Railway Company and carmen employed by Company on western lines.	Employer	Western lines	1,215	Concerning wages and hours.	Prof. Ollum, (C) <sup>19</sup> A. M. Nanton, (E) <sup>20</sup> J. H. McVety, (M) <sup>21</sup>	26 Dec.	23	The Board presented a unanimous report recommending a basis of settlement which was subsequently, in correspondence with the Department, accepted by both parties, and a strike thereby averted.
1908									
Dec. 19	Canadian Northern Railway and firemen, enginemen and hostlers in its employ.	Employees	Winnipeg and territory along Canadian Northern Railway.	359	Concerning relations of union to employer.	Prof. A. Shortt, (C) <sup>22</sup> F. H. Richardson, (E) <sup>23</sup> J. G. O'Donoghue, (M) <sup>24</sup>	8 Jan.	25	Differences amicably adjusted before the Board and a strike thereby averted.
1908									
Jan. 8	Grand Trunk Railway Company and carmen in its employ.	Employees	Grand Trunk Railway System.	800	Concerning wages and conditions of labour.	Prof. A. Shortt, (C) <sup>25</sup> Wallace Nesbitt (E) <sup>26</sup> J. G. O'Donoghue, (M) <sup>27</sup>	28 Feb.	28	Differences amicably adjusted before a Board and a strike thereby averted.



SESSIONAL PAPER No. 36.

2. Street Railways.

1908.	Jan. 31	Hamilton and Dundas Railway Company and Hamilton Radial Railway Company, and Hamilton & Burlington Railway Company and employees.	Employees	Hamilton, Ont.	120 Concerning relations of union to employing companies	His Hon. Judge Monck, (C) <sup>4</sup> Wm. Bell, K.C., (E) <sup>1</sup> J. G. O'Donoghue, (M) <sup>1</sup>	Feb. 17 April	5	Report of the Board was opposed to the claims of the men and was accompanied by a minority report from Mr. O'Donoghue, generally sustaining the claims of the men. Neither report was acceptable to both parties, but the effect of the investigation appeared to bring a better understanding between the parties, and no cessation of work was reported.
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3. Shipping

1907	*May 15	Shipping Federation of Canada and longshoremen of Montreal.	Employers	Montreal, Que	1,500 Demand for increase in wages.	Archbishop Bruchesi, (C) <sup>3</sup> G. W. Stephens, (E) <sup>1</sup> Jos. Ainey, (M) <sup>1</sup>	June 7	17	On May 13, employees went on strike notwithstanding provisions of Act, and employers on May 18 withdrew application for Board. On May 15, Mr. F. A. Acland, the then Secretary of the Department, went to Montreal to explain the provisions of the Act to the parties to the dispute. As the result of Mr. Acland's intervention the employees returned to work, and agreed to refer the dispute under the Industrial Disputes Investigation Act, and a formal application was made by the employees for the establishment of a Board. A unanimous report was made by the members of the Board, and an agreement recommended covering conditions of employment for the seasons of 1907 and 1908. The Union did not formally accept the recommendations of the Board, but the members, with the exception of a few, signed individual agreements with the employer, based upon the recommendations with the Board, and a further cessation of work was thereby averted.
	*May 25	Shipping Federation of Canada, Canadian Pacific Railway Company and longshoremen of Montreal.	Employees	Montreal, Que	1,600 Demand for increase in wages.				

\*The two applications here recorded are regarded as one in the tabular statement



INDUSTRIAL DISPUTES INVESTIGATION ACT—Continued.

Date of receipt of application.	Parties to Dispute.	Party making application.	Locality.	No. of persons affected.	Nature of Dispute.	Names of Members of Board: (C) Chairman; (E) Employer; (M) Men.	Date on which Board was constituted.	Date of receipt of report of Board.	Result of Reference.
1907.									
May 31	Furness Withy Company, Limited (Unard & Company, Pickford, Black & Company and longshoremen)	Employers	Halifax, N.S.	500	Concerning wages. Increase of 5 cents per hour demanded by men, 2½ cents offered by companies, but refused.	James Hall (E).... Philip Ring (M).			On May 26, employees went on strike, alleging subsequently that they had no knowledge of the existence of the provisions of the Act. Mr. V. DuBreuil, Fair Wages Officer of the Department, was sent to Halifax to explain the provisions of the Act. A Board was requested as a result of the explanations given, and while being constituted the dispute was amicably settled. Mr. DuBreuil lending the good offices of the Department as a conciliator. A further cessation of work was thereby averted, as was also the necessity of further proceedings in connection with the establishment of the Board.
1908									
Mar. 6	Dominion Marine Association and Lake Sea men's Union.	Employees	Kingston, Ont. and ports of Great Lakes	450	Concerning wages and conditions of employment.	Prof. A. Shortt (C) <sup>3</sup> Jas. Stewart (E) <sup>2</sup> John A. Flett (M) <sup>1</sup>	April 1	April 14	Differences amicably arranged before the Board and strike thereby averted.



## SESSIONAL PAPER No. 36.

## B.—INDUSTRIES OTHER THAN MINES, AGENCIES OF TRANSPORTATION AND COMMUNICATION AND OTHER PUBLIC UTILITIES.\*

Date of receipt of application.	Parties to Dispute.	Party making application	Locality.	No. of persons affected.	Nature of Dispute.	Names of Members of Board: (C) Chairman; (E) Employer; (M) Men.	Date on which Board was constituted.	Date of receipt of report of Board.	Result of Reference.
1907 Aug. 28	Montreal Cotton Company and employees.	Employees	Valleyfield, Que.	2,200	Concerning conditions and wages.	Hon. Mr. Justice Fortin, (C) <sup>1</sup> Duncan McCormick, K.C., (E) <sup>1</sup> W. Paquette (M) <sup>1</sup>	Sept. 4	Sept. 24	The employees went on strike on August 13, and the good offices of the Department were requested with a view to effecting a settlement. Mr. F. A. Acland, the then Secretary of the Department, referred to the sections enabling a Board of Conciliation and Investigation. An application for a Board was forwarded to the Minister, the employees in the meantime returning to work on August 26. The Board was duly established, with the result that the differences were adjusted and an agreement concluded before the Board dated from September 17, 1907, to be effective until May 4, 1908, and thereafter until either side be given a written notice of cancellation of the same. A feature of the agreement was the establishment of a permanent Committee of Conciliation to which it was agreed that all subsequent disputes should be referred.

and Mr. V. DuBreuil, Fair Wages Officer, visited the scene of the dispute and explained the provisions of the Act to the parties, with special reference to the sections enabling a dispute in any industry other than that of a mine or public utility to be referred, by mutual agreement between the disputing parties, to a Board of Conciliation and Investigation. As a result of the explanations and efforts at conciliation on the part of the officers of the Department, an application for a Board was forwarded to the Minister, the employees in the meantime returning to work on August 26. The Board was duly established, with the result that the differences were adjusted and an agreement concluded before the Board dated from September 17, 1907, to be effective until May 4, 1908, and thereafter until either side be given a written notice of cancellation of the same. A feature of the agreement was the establishment of a permanent Committee of Conciliation to which it was agreed that all subsequent disputes should be referred.

\*These disputes were referred to a Board of Conciliation and Investigation under section 63 of the Act, which provides that "in the event of a dispute arising in any industry or trade other than such as may be included under the provision of this Act, and such dispute threatens to result in a lockout or strike, has actually resulted in a lockout or strike, either of the parties may agree, in writing, to allow such dispute to be referred to a Board of Conciliation and Investigation, to be constituted under the provisions of this Act, etc. Applications referring to disputes in this class of industry were received also in the cases of W. A. Marsh & Company, Boot and Shoe Manufacturers, Quebec; the Rosamond Woollen Company, Almonte, Ont.; the Eastern Townships' Manufacturing Company, St. Hyacinthe, Que.; L'Association Internationale des Ouvriers en fourrure, Montreal Davidson Manufacturing Company, Montreal, and A. Gravel Lumber Company, Etchemin, Que.; but the parties concerned not agreeing to refer the differences for dispute according to the provisions of the Act, no action was taken by the Minister.



INDUSTRIAL DISPUTES INVESTIGATION ACT, 1907.

(PROCEEDINGS 1908-1909.)

Statement of Applications of Boards of Conciliation and Investigation and proceedings thereunder from March 31, 1908, to March 31, 1909.

A. MINES, AGENCIES OF TRANSPORTATION AND COMMUNICATION AND OTHER PUBLIC SERVICE UTILITIES.

- 1. Appointed by the Minister, under sec. 8, sub-sec. 1, of the I. D. I. Act, on recommendation from party concerned.
- 2. Appointed by the Minister, under sec. 8, sub-sec. 2, of the I. D. I. Act, in the absence of a recommendation from party concerned.
- 3. Appointed by the Minister, under sec. 8, sub-sec. 3, of the I. D. I. Act, on the joint recommendation of the two members first appointed.
- 4. Appointed by the Minister, under sec. 8, sub-sec. 4, of the I. D. I. Act, in the absence of a joint recommendation by the two members first appointed.

MINING AND SMELTING INDUSTRY.

1. COAL MINES

DEPARTMENT OF LABOUR, CANADA,  
STATISTICAL TABLES, X. A. R., No. 6.

Date of receipt of application.	Parties to Dispute.	Party making application	Locality.	No. of persons affected.	Nature of Dispute.	Names of Members of Board: (C) Chairman; (E) Employer; (M) Men.	Date on which Board was constituted.	Date of receipt of report of Board.	Result of Reference.
1908									
May 2	Standard Coal Company and employees.	Employees	Edmonton, Alta...	20	Concerning wages and conditions of labour.	His Hon. Judge Taylor (C) <sup>4</sup> F. B. Smith, (E) <sup>1</sup> . F. H. Sherman (M) <sup>1</sup>	June 19	22 July	Company had previously made an agreement individually with employees. Representative of men was willing to take agreement for what it was worth but would not enter into same on behalf of union. Board decided to leave the existing agreement intact, and this arrangement appears to have been satisfactory, a strike being thereby averted.
May 12	Nova Scotia Steel & Coal Company and employees.	Employees	North Sydney, N.S.	1,750	Concerning wages and conditions of labour.	Prof. A. Shortt (C) <sup>3</sup> Dr. D. Allison (E) <sup>2</sup> J. W. Maddin (M) <sup>1</sup>	June 19	1 Aug.	1 An agreement concluded before the Board on all points, and a strike thereby averted.
May 14	International Coal & Coke Company and employees.	Employees	Westville, N.S.	800	Concerning wages and conditions of labour.				No Board was established in this case, the parties having come to an amicable agreement, subsequent to forwarding the application, a strike being thereby averted.



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May 15	Acadia Coal Company and employees.	Stellarton, N.S.	800 Concerning wages and conditions of labour.		No Board was established in this case, the parties having come to an amicable agreement subsequent to forwarding the application, a strike thereby being averted.
May 18	Port Hood and Richmond Railway Coal Company and employees.	Port Hood, N.S.	300 Concerning wages and conditions of labour.	His Hon. Judge McGillivray (C) <sup>3</sup> Geo. S. Campbell (E) <sup>1</sup> . Jas. Macdonald (M) <sup>1</sup>	2 A unanimous report was made by the Board with recommendations for a settlement of all differences, which is understood to have been accepted as a basis of working operations, a strike being thereby averted.
July 2	Maritime Coal, Railway & Power Company, Limited, and employees	Chignecto, N.S.	200 Concerning wages and conditions of labour.	Rev. Chas. Wilson (C) <sup>3</sup> B. Barnhill (E) <sup>1</sup> R. B. Murray (M) <sup>1</sup>	27 An agreement was effected before the Board on all the points at issue and covering the period of two years from July 31, 1908, a strike being thereby averted.
Oct. 19	Galbraith Coal Company, Limited, and employees	Lundbreck, Alta.	30 Concerning wages and conditions of labour.	Chas. Simister (C) <sup>3</sup> F. B. Smith, (C.E.), (E) <sup>1</sup> Jas. A. McDonald (M) <sup>1</sup>	14 The Board presented a unanimous report recommending a basis of settlement, which was subsequently, in correspondence with the Department, accepted by both parties to the dispute, a strike being thereby averted.
1909 March 4	Dominion Coal Company and employees, members of United Mine Workers of America	Glace Bay, N.S.	3,000 Alleged discrimination against members of United Mine Workers of America.	His Hon. Judge Wallace (C) <sup>1</sup> G. S. Campbell (E) <sup>3</sup> Daniel McDougall (M) <sup>1</sup>	Proceedings unfinished.

## 2 METAL MINES.

1908 July 20	Cobalt Central Mining Company, Limited, and employees.	Cobalt, Ont.	105 Concerning wages and hours	Prof. S. J. Maclean, (C) <sup>3</sup> E. L. Fraleek, (E) <sup>1</sup> C. B. Duke, (M) <sup>1</sup>	29 Unanimous report presented by Board making recommendations for the settlement of the dispute, and no cessation of work was reported.
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II.—TRANSPORTATION AND COMMUNICATION.

1.—RAILWAYS.

Date of receipt of report of strike.	Party to dispute.	Party making application.	Locality.	No. of persons affected.	Nature of Dispute.	Names of Members of Board: (C) Chairman, (E) Employer, (M) Men.	Date on which Board was constituted.	Date of receipt of report of Board.	Result of Reference.
April 28 1908	Canadian Pacific Railway Company and various trades in its mechanical departments.	Employees	Canadian Pacific Railway System	8,000	Concerning wages and conditions of labour.	P. A. Macdonald (C) <sup>1</sup> C. F. Fullerton, (E) <sup>1</sup> G. F. Galt, (E) <sup>2*</sup> Jas. Somerville (M) <sup>1</sup>	13 May	16 July	The Board did not present a unanimous report, Mr. Somerville presenting a minority report. The Board made certain recommendations for settlement of dispute which were accepted by Company with some demur. Men refused to accept findings of Board and ceased work on August 5. They returned to work on October 5, accepting finally recommendations of Board.
May 14	Intercolonial Railway of Canada and Station Freight Clerks' Unions, Nos. 1 and 2 of Halifax, N.S., and St John, N.B	Employees	Halifax, N.S. and St. John, N.B		Concerning wages and conditions of labour.	His Hon. Judge Mc-Sept. Gibbon (C) <sup>1</sup> H. Holgate, F.E. (E) <sup>1</sup> J. G. O'Donoghue, (M) <sup>1</sup> R. E. Finn (M) <sup>1</sup>	8 Oct	6	The proceedings in this case were under the Conciliation and Labour Act by request of the employees and were subject to delay through the inability to act of the member of the Committee of Mediation and Investigation first appointed on the recommendation of the men. The Committee was finally constituted and a settlement of all differences effected, a strike being thereby averted.
May 29	Canadian Pacific Railway and railway telegraphers in its employ	Employees	Canadian Pacific Railway system	1,605	Concerning alleged wrongful dismissal of certain employee	Hon. Mr. Justice Fortin (C) <sup>1</sup> C. Campbell, K.C. (E) <sup>1</sup> W. T. J. Lee (M) <sup>1</sup>	17 June	26 Sept.	A unanimous report was made by the Board with recommendations for a settlement of all differences, which were accepted by both parties, a strike being thereby averted.
Aug 21	Canadian Northern Railway Company and carmen on its Lake St John Division.	Employees	Lake St. John Division, Canadian Northern Railway.	49	Concerning wages and conditions of labour.	Ludovic Brunet (C) <sup>1</sup> E. A. Evans (E) <sup>1</sup> P. J. Jobin (M) <sup>1</sup> A. Chartrain (M) <sup>1</sup>	30 Sept.	19 Nov.	A unanimous report was presented by the Board, making certain recommendations for the settlement of the dispute which were accepted by both parties to the dispute, a strike being thereby averted.



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## 2.—STREET RAILWAYS.

1908					
May	8	Ottawa Electric Railway Employees and its employees.	Ottawa, Ont	256	Concerning wages and conditions of labour. Prof. A. Shortt, (C) <sup>4</sup> May 22 June 15 Differences amicably arranged before the Board and strike thereby averted. J. F. Henderson, (E) <sup>1</sup> J. G. Donoghue, (M) <sup>1</sup>
Sept.	3	Quebec Heat, Light & Employees Power Company and its Street Railway employees.	Quebec, Que	116	Concerning alleged wrongful dismissal of certain employees. Omer Brunet (M) Oct. 6 The two members of the Board appointed respectively on the nomination of employing Company and employees, presented a joint statement making certain recommendations for a settlement of the disputed points, which recommendations were accepted by both parties to the dispute as a settlement of the differences, a strike being thereby averted. W. H. Moore (E) <sup>1</sup>

## B.—INDUSTRIES OTHER THAN MINES, AGENCIES OF TRANSPORTATION AND COMMUNICATION AND OTHER PUBLIC UTILITIES.\*

1908					
Dec.	17	The John Ritchie (Com- Employees pany, Limited, and certain employees (lasters) employers.	Quebec, Que	300	Concerning introduction of certain machine and wages. Dr. Chas. Cote (C) <sup>2</sup> Dec. 31 Feb. 17 An agreement was concluded before the Board covering all matters in dispute effective from February 12, 1909 to May 1, 1910, a strike being thereby averted. Felix Matois (E) <sup>1</sup> Z. Bérubé (M) <sup>1</sup>
Aug.	22	Canadian Pacific Railway Company and firemen and engineers in its employ.	Canadian Railway system	7,000	Concerning alleged wrongful dismissal of certain employees. Hon. Judge Fortin Jan. 5 Jan. 25 A unanimous report presented by the Board, making certain recommendations, for the settlement of the dispute, which were accepted by both parties, a strike being thereby averted. W. Nesbitt, K.C., (E) <sup>1</sup> J. G. O'Donoghue, (M) <sup>1</sup>
Aug.	22	Canadian Northern Railway Company and locomotive engineers in its employ.	Canadian Northern Railway system	341	Concerning wages and conditions of labour. His Hon. Judge Sept. 14 Nov. 16 A unanimous report was presented by the Board making certain recommendations for the settlement of the disputes, which were accepted by both parties and a strike being thereby averted. F. H. Richardson, (E) <sup>1</sup> J. Harvey Hall (M) <sup>1</sup>

\*These disputes were referred to a Board of Conciliation and Investigation under section 63 of the Act, which provides that "in the event of a dispute arising in any industry or trade other than such as may be included under the provision of this Act and such dispute threatens to result in a lock-out or strike, or has actually resulted in a lock-out or strike, either of the parties may agree, in writing, to allow such dispute to be referred to a Board of Conciliation and Investigation, to be constituted under the provisions of this Act," etc.



Date of receipt of report	Parties to dispute	Party making application	Locality	No. of persons affected	Nature of Dispute	Names of Members of Board (C) Chairman, (E) Employer, (M) Men.	Date on which Board was constituted	Date of receipt of report of Board	Result of Reference.
1908									
Dec. 26	Kingston & Pembroke Railway Company and employees, members of order of Railroad Telegraphers.	Employees	Kingston & Pembroke Railway system	19 dir., 1,600 indir.	Concerning wages and condition of labour.	His Hon. Judge Gunn (C) <sup>4</sup> J. L. Whiting, K.C., (E) <sup>1</sup> J. G. O'Donoghue (M) <sup>1</sup>	Jan. 15		Proceedings unfinished.
Dec. 29	Great Northwestern Telegraph Company and certain Railroad Telegraphers on Michigan Central Railway system	Employees	Michigan Central Railway system	75	Abolition of commission by commercial business on Michigan Central Railway System by Great Northwestern Telegraph Company, without due notice.	Judge McGibbon (C) <sup>4</sup> J. F. Mackay (E) <sup>2</sup> J. G. O'Donoghue (M) <sup>1</sup>	Feb.	8 Mar.	22 A unanimous report was presented by the Board, making certain recommendations for the settlement of the dispute. The report was substantially in favour of the employees. The Company had refused to nominate to the Board and claimed irresponsibility on the matter. The inquiry, though not resulting in the agreement is understood to have modified the situation to such a degree that danger of the threatened strike was averted.
1909									
Feb. 10	Manitoba Cartage Company, Limited.	Employees	Winnipeg, Man.	40 dir., 260 indir.	Concerning alleged discrimination against men connected with the Union.	Rev. Dr. C. W. Gordon (C) <sup>3</sup> Prof. R. Cochrane, (E) <sup>2</sup> T. J. Murray (M) <sup>1</sup>	Mar. 2		

\*\*Owing to inability of Mr. R. L. Finn to act as member of Board, Mr. J. G. O'Donoghue was appointed in his stead.

\*Mr. Fullerton, finding himself at an early stage of the proceedings unable to agree with his colleagues resigned from the Board, and the Company declining to make a further recommendation the Minister appointed Mr. Galt without recommendation.

†Owing to inability of A. Chartrain to act as member of the Board, P. J. Jobin was appointed in his stead.



# INDUSTRIAL DISPUTES INVESTIGATION ACT, 1907.

(PROCEEDINGS 1909-10.)

Statements of Applications for Boards of Conciliation and of Investigations thereunder from March 31, 1909, to March 31, 1910.

## A.—MINES, AGENCIES OF TRANSPORTATION AND COMMUNICATION, AND OTHER PUBLIC UTILITIES.

1. Appointed by the Minister, under section 8, sub-section 1, of the I. D. I. Act, on recommendation from party concerned.
2. Appointed by the Minister, under section 8, sub-section 2, of the I. D. I. Act, in the absence of a recommendation from party concerned.
3. Appointed by the Minister, under section 8, sub-section 3, of the I. D. I. Act, on the joint recommendation of the two members first appointed.
4. Appointed by the Minister, under section 8, sub-section 4, of the I. D. I. Act, in the absence of a joint recommendation by the two members first appointed.

### I.—MINING AND SMELTING INDUSTRY.

#### 1. COAL MINES.

DEPARTMENT OF LABOUR, CANADA,  
STATISTICAL TABLES, X. A. R., No. 7.

Date of receipt of application.	Parties to Dispute.	Party making application.	Locality.	No. of persons affected.	Nature of Dispute.	Names of Members of Board: (C) Chairman, (E) Employer, (M) Men.	Date on which Board was constituted.	Date of receipt of report of Board.	Result of Reference.
1909 Mar. 4	Dominion Coal Company and employees, members of United Mine Workers of America.	Employees	Glace Bay, C.B....	3,000	Alleged discrimination against certain employees, members of United Mine Workers of America.	His Honour Judge Wallace (C) <sup>4</sup> G. S. Campbell (E) <sup>2</sup> Daniel McDougall (M) <sup>1</sup>	Mar. 22	April 16	The Board did not present a unanimous report, Mr. McDougall presenting the minority report. The Board found against the contentions of the men, and the latter refusing to accept the findings struck, on July 6. It was claimed by the Company that the output of coal from its mines had practically ceased to be affected during the winter months following, although a considerable number of workmen, members of the United Mine Workers of America, remained on strike at the end of March, 1910.
April 13	Nicola Valley Coal & Coke Company and employees.	Employees	Middlesboro, B.C.	150	Alleged discrimination against certain employees.	His Honour Judge P. S. Lampman, (C) <sup>3</sup> Thos. Kiddie (E) <sup>1</sup> Thos. (has. Brooke (M) <sup>1</sup> .	May 7	June 3 June 16 June 11	The Report of the Board was accompanied by a minority report signed by Mr. T. C. Brooke, the member appointed on behalf of the employees. The report was not accepted by either party, and whilst proceedings were pending for the establishment of a Board in this case the employees ceased work on April 28, and remained on strike until the month of June. On June 15, the Department was informed that an understanding had been reached between the management and the men.



Date of receipt of application.	Parties to Dispute	Party making application.	Locality.	No. of persons affected.	Nature of Dispute.	Names of Members of Board: (C) Chairman, (E) Employer, (M) Men.	Date on which Board was constituted.	Date of receipt of report of Board.	Result of Reference
1909 April 26	Nova Scotia Steel & Coal Company, Limited, and employees.		Sydney Mines, C.B.	340	Wages and conditions of labour and recognition of United Mine Workers of America.	Honour Judge J. P. Chipman, (C) <sup>4</sup> Honour Judge MacGillivray (E) <sup>2</sup> D. McDougall (M) <sup>1</sup>	June 7	July 23	The Report of the Board was accompanied by a minority report, signed by Mr. D. McDougall, member appointed on behalf of the employees. The report of the Board found against the claims of the employees. There was, however, no cessation of work, the threatened strike being averted.
May 8	Western Coal Operators' Association, comprising Alberta Railway & Irrigation Company, H. W. McGill Company; Pacific Coal Company; Leitch Collieries, Limited, Western Canadian Collieries, Limited, International Coal & Coke Company, Limited, and Hosmer Mines, Limited, and their employees.		Lethbridge, Colman, Lalle Bankhead, Hillcrest, Bellevue Passburg, Canmore and Taber, Alta., Hosmer and Frank, B.C.	2,100	Wages and conditions of labour.	Rev. Hugh Grant (C) <sup>4</sup> , Colin MacLeod, (E) <sup>1</sup> , F. H. Sherman, (M) <sup>1</sup>	May 15	June 21 June 23	The Report of the Board was accompanied by a minority report, signed by Mr. Colin MacLeod, which was, however, in substantial agreement with that of the Board. The report was not definitely accepted by either party, but conferences between the employers and the employees followed its publication, with the result that an agreement was reached, closely following the terms of the award, effective to March 31, 1911. The employees, who had been on strike from April 1, resumed work on July 1.
May 10	Cumberland Railway & Coal Company and employees.		Springhill, N.S.	1,550	Wages and conditions of labour and recognition of United Mine Workers of America.	Hon. Mr. Justice Longley (C) <sup>4</sup> Chas. Archibald (E) <sup>2</sup> F. B. Paul, (M) <sup>1</sup>	June 5	July 23	The Report of the Board was accompanied by a minority note, signed by Mr. E. B. Paul, the member appointed on behalf of the employees. The Board's findings were substantially in favour of the Company. The award was not however, accepted by the employees, and a strike was declared on August 9, which resulted in the closing down of the Company's mines until early in the month of March, 1910, when operations were resumed on a limited scale.



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June 15	Canada West Coal Company and employees.	Taber, Alta...	300	Wages and conditions of labour.	His Honour Judge R. Winter (C) <sup>3</sup> , Colin MacLeod (E) <sup>1</sup> , W. C. Simmons (M) <sup>1</sup>	July 3	July 19	A unanimous report was presented by the Board, making recommendations for the settlement of the dispute. An agreement based on the findings of the Board was subsequently signed by the parties concerned, effective from July 30, 1909, to March 31, 1911. The employees who had been on strike from April 23, returned to work on July 30.
Nov. 18	Edmonton Standard Coal Company, Limited, and employees.	Edmonton, Alta...	75	Wages and dismissal of employees.	Geo. F. Cunningham (C) <sup>3</sup> , Frank B. Smith (E) <sup>1</sup> , Clement Stubbs (M) <sup>1</sup>	Dec. 2	Dec. 27	A unanimous report was presented by the Board making certain recommendations for the settlement of the dispute, which were accepted by the parties concerned, a strike being thereby averted.
Dec. 2	James W. Blain, contractor for output of Cardiff Coal Company, Limited, and employees	Cardiff, Alta...	60 dir. 15— indir.	Wages and conditions of employment.				Proceedings in connection with this application were discontinued in view of an agreement being reached by the parties concerned.
1910 Jan. 5	Alberta Coal Mining Company and employees.	Cardiff, Alta...	35 dir. 25— indir.	Wages and conditions of employment.	R. G. Duggan (C) <sup>3</sup> , Jan. 17 J. O. Hannah, (E) <sup>1</sup> Clement Stubbs (M) <sup>1</sup>			Proceedings unfinished.

2 METAL MINES.

1909 April 5	British Columbia Copper Company and employees.	Greenwood, B.C.	225	Alleged discrimination against certain employees.	His Honour Judge P. E. Wilson (C) <sup>4</sup> , Edward Cronyn (E) <sup>1</sup> , John McInnis, M.P.P., (M) <sup>1</sup> .	April 29	May 21 June 3 June 11	Three separate reports were presented in this case, the Company expressing its willingness to accept that of the Chairman as a basis of settlement, while the men accepted the report of Mr. John McInnis. The men declared a strike on June 28, which continued until July 24.
1910 Jan. 8	British Columbia Copper Company and employees.	Greenwood, B.C.	350	Employees unwillingness to work with non-union men.	J. H. Senkler (C) <sup>4</sup> , John A. Mara (E) <sup>1</sup> , John McInnis (M) <sup>1</sup>	Jan. 10	Mar. 29	The Report of the Board was accompanied by a minority report, signed by Mr. John McInnis. The Board's report was substantially in favour of the Company; at the close of the year the Department was in communication with the parties to the dispute. No cessation of work occurred.



II.—TRANSPORTATION AND COMMUNICATION.

1. RAILWAYS.

Date of receipt of application.	Parties to Dispute.	Party making application.	Locality.	No. of persons affected.	Nature of Dispute.	Names of Members of Board: (C) Chairman, (E) Employer, (M) Men.	Date on which Board was constituted.	Date of receipt of report of Board.	Result of Reference.
1908 Dec. 26	Kingston & Pembroke Railway Company and employees, members of Order of Railroad Telegraphers.	Employees	Kingston & Pembroke Railway System.	19 dir. 1,600 indir.	Wages and conditions of labour.	His Honour Judge Gunn, (C) <sup>4</sup> J. L. Whiting, K.C., (E) <sup>1</sup> J. G. O'Donoghue, (M) <sup>1</sup>	Jan. 15	April 22 A	unanimous report was presented by the Board which made certain recommendations for the settlement of dispute. The report, with recommendations, was accepted subsequently by both parties, a strike being thereby averted.
1909 May 7	Canadian Pacific Railway Company and railroad telegraphers in its employ.	Employees	Canadian Pacific Railway lines.	1,600	Concerning alleged unfair dismissal and breach of contract.	Hon. Mr. Justice Fortin, (C) <sup>4</sup> Wallace Nesbitt, K.C., (E) <sup>1</sup> W. T. J. Lee, (M) <sup>1</sup>	May 29	June 11 A	unanimous report was presented by the Board, making certain recommendations for the settlement of the dispute, which were subsequently, in correspondence with the Department, accepted by both parties concerned, a strike being thereby averted.
June 3	Grand Trunk Pacific Railway Company and engineers, firemen, conductors, brakemen, baggagemen and yardmen in its employ.	Employees	Grand Trunk Pacific lines.	300	Wages and conditions of labour.	Hon. R. F. Sutherland, M.P., (C) <sup>3</sup> F. H. McGuigan, (E) <sup>1</sup> J. G. O'Donoghue, (M) <sup>1</sup>	June 24	Aug. 14 A	unanimous report was presented by the Board, making certain recommendations for the settlement of the dispute and no cessation of work occurred, the threatened strike being averted.
June 8	Canadian Northern Railway Company and its Maintenance-of-way employees.	Employees	Canadian Northern Railway lines west of Port Arthur.	1,100 dir. 700 indir.	Wages and conditions of labour.	His Honour Judge R. H. Myers, (C) <sup>4</sup> W. J. Christie, (E) <sup>1</sup> J. G. O'Donoghue, (M) <sup>1</sup>	June 24	July 21	The report of the Board was accompanied by a minority report, signed by Mr. W. J. Christie. The findings of the Board were subsequently accepted by both parties to the dispute, a strike being thereby averted.
Aug. 11	Intercolonial Railway of Canada and its round-house employees.	Employees	Halifax, N.S.	20 dir. 1,000 indir.	Alleged discrimination against certain employees.	Sir Geo. Garneau, (C) <sup>4</sup> Jas. H. Gilmour, (E) <sup>1</sup> Aaron A. R. Mosher, (M) <sup>1</sup>	Sept. 25	Nov. 17 A	unanimous report was presented by the Board, making certain recommendations for the settlement of the dispute. The findings of the Board were subsequently accepted by both parties to the dispute, a strike being thereby averted.



## SESSIONAL PAPER No. 36.

## I. RAILWAYS—Continued.

Oct.	2	Intercolonial Railway of Canada and machinists and fitters in its employ.	Employees	Intercolonial Railway System.	363 dir. 43 indir.	Concerning dismissal of certain employees and alleged violation of contract.	His Honour Judge John A. Barron, (C) <sup>4</sup> Jas. H. Gilmour, (E) <sup>1</sup> J. G. O'Donoghue, (M) <sup>1</sup> .	Oct.	19 Dec.	8 A	unanimous report was presented by the Board, making certain recommendations for the settlement of the dispute, which were accepted by both parties concerned, a strike being thereby averted.
1909											
Dec.	3	Grand Trunk Railway Company and telegraphers and station agents in its employ.	Employees	Grand Trunk Railway lines, east of Detroit, Mich.	760	Wages, advertising of vacancies, etc.	J. E. Atkinson, (C) <sup>4</sup> Wallace Nesbitt, K. C., (E) <sup>1</sup> W. T. J. Lee, (M) <sup>1</sup>	Dec.	21 Feb.	24 A	report was presented which was unanimous on certain of the matters in dispute, Mr. Wallace Nesbitt, K.C., member appointed on behalf of the Company dissenting from the views of the other members on two points. At the close of the year the Department was in communication with the parties to the dispute. No cessation of work occurred.
1910											
Mar.	17	Canadian Pacific Railway Company and conductors, baggagemen brakemen and yardmen in its employ.	Employees	Canadian Pacific Railway lines.	4,360	Wages and conditions of employment.	J. E. Atkinson, (C) <sup>4</sup> Wallace Nesbitt, K. C., (E) <sup>1</sup> J. G. O'Donoghue, (M) <sup>1</sup>	Mar.	18		Proceedings unfinished.
Mar.	17	Grand Trunk Railway Company and conductors, baggagemen brakemen and yardmen in its employ.	Employees	Grand Trunk Railway lines.	3,017	Wages and conditions of employment.	Wallace Nesbitt, K. C., (E) <sup>1</sup> J. G. O'Donoghue, (M) <sup>1</sup>	Mar.	18		Proceedings unfinished.
Mar.	17	Toronto, Hamilton & Buffalo Railway Company and conductors, baggagemen, brakemen and yardmen in its employ.	Employees	Toronto, Hamilton & Buffalo lines.	101	Wages and conditions of employment.	F. H. McGuigan, (E) <sup>1</sup> J. G. O'Donoghue, (M) <sup>1</sup>	Mar.	18		Proceedings unfinished.
Mar.	19	Grand Trunk Pacific Railway Company and its telegraph and station employees.	Employees	Grand Trunk Pacific lines.	75	Rules and rates of pay.	W. T. J. Lee, (M) <sup>1</sup>	Mar.	30		Proceedings unfinished.
Mar.	22	Dominion Atlantic Railway Company and employees.	Employees	Kentville, N.S.	4 dir. 25 indir.	Terms of employment and dismissal of certain employees.					Proceedings unfinished.



2. STREET RAILWAYS

Date of receipt of application.	Parties to Dispute.	Party making application.	Locality.	No. of persons affected.	Nature of Dispute.	Names of Members of Board: (C) Chairman, (E) Employer, (M) Men.	Date on which Board was constituted.	Date of receipt of report of Board.	Result of Reference.
1909 April 20	Winnipeg Electric Rail way Company and em- ployees	Rail Employees	Winnipeg, Man.	600	Concerning wages and conditions of labour	Rev. C. W. Gordon, D.D., (C) <sup>4</sup> W. J. Christie, (E) <sup>1</sup> J. G. O'Donoghue, (M) <sup>1</sup>	May 10	June 1	A unanimous report was presented by the Board, accompanying an agreement covering all points in dispute and effective from May 1, 1909, to May 1, 1911, a strike being thereby averted.

3. FREIGHT HANDIERS.

1909 May 17	Canadian Pacific Railway Company and freight handlers in its employ	Employees	Owen Sound, Ont.	250	Concerning wages.	Donald Ross, (C) <sup>4</sup> Wallace Nesbitt, K.C., (E) <sup>1</sup> J. G. O'Donoghue, (M) <sup>1</sup>	June 1	June 17	A strike of freight handlers employed by the Canadian Pacific Railway Company at Owen Sound, oc- curred on May 7, and continued until May 10, when application was made for the establishment of a Board under the Industrial Dis- putes Investigation Act to which the dispute was referred for ad- justment. The report of the Board was accompanied by a minority report by Mr. O'Dono- ghue. The report of the Board was accepted by the parties to the dispute, further cessation of work being thereby averted.
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Aug. 18	Canadian Pacific Railway Company and freight handlers in its employ	Fort William, Ont.	700	Concerning wages S. C. Young, (C) <sup>2</sup> and conditions of W. J. Christie, (E) <sup>2</sup> labour. W. T. Rankin, (M) <sup>2</sup>	Aug. 20 Aug. 23	A strike of freight handlers employed by the Canadian Pacific Railway Company, at Fort William occurred on August 9, and continued until August 16, when application was made for the establishment of a Board under the Industrial Disputes Investigation Act, to which the dispute was referred for adjudgment. In the application it was stated that the employees were not informed of the provisions of this Act when the strike was declared. A unanimous report was presented by the Board, making certain recommendations for the settlement of the dispute, which were accepted by the parties concerned, a further cessation of work being thereby averted.
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4. LONGSHOREMEN

1910 Mar. 14	Allan Line; Donaldson Line; Thomson Line; Leyland Line; White Star Dominion Line; Canada Line; South African Line; Mexican Line; Manchester Liners; Black Diamond Line; Head Line; Canadian Pacific Railway Line; and all other owners of steamships navigating to Montreal; and Syndicated Longshoremen of Montreal.	Employees	Montreal, Que.....	1,800	Wages and conditions of employment. Wm. Lyall, (E) <sup>2</sup> Gustave Flandre, (M) <sup>2</sup>	Mar. 24	Proceedings unpublished.
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## 5. TEAMSTERS.

Date of receipt of application.	Parties to Dispute.	Party making application.	Locality.	No. of persons affected.	Nature of Dispute.	Names of Members of Board: (C) Chairman, (E) Employer, (M) Men.	Date on which Board was constituted.	Date of receipt of report of Board.	Result of Reference.
1910 Feb. 10	Manitoba Cartage Company, Limited.	Employees	Winnipeg, Man.	40 dir. 260 indir.	Alleged discrimination against men connected with Union.	Rev. Dr. C. W. Gordon, <sup>(C)</sup> Prof. R. Cochrane, <sup>(E)</sup> <sup>2</sup> T. J. Murray, (M) <sup>1</sup>	2 April	1 April	A unanimous report was presented by the Board, making recommendations for the settlement of the dispute. The report was not accepted by the Company, but the inquiry had the effect of improving the conditions and bringing about an understanding, so that the threatened strike was averted.

## III.—MUNICIPAL PUBLIC UTILITIES.

1909 July 8	Corporation of Saskatoon, Sask., and labourers in its employ.	Employees	Saskatoon, Sask.	150 dir. 150 indir.	Concerning wages and conditions of labour.	E. J. Mellicke, (C) <sup>1</sup> Alex. Smith, (E) <sup>1</sup> E. Stephenson, (M) <sup>1</sup>	4 Aug.	4 Sept.	9 A report was presented by the chairman and Mr. Alex. Smith, making certain recommendations for the settlement of the dispute, and stating also that an agreement had been reached on all points except the establishment of a minimum wage scale and recognition of the employees' union. No cessation of work was reported.
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## B.—INDUSTRIES OTHER THAN MINES, AGENCIES OF TRANSPORTATION AND COMMUNICATION AND OTHER PUBLIC UTILITIES.

1909 April 27	Dominion Textile Company and mule spinners in its employ.	Employees	Montreal, Que.	70 dir. 3,000 indir.	Concerning wages and condition of labour.	Hon. Mr. Justice Fortin, (C) <sup>3</sup> F. G. Daniels, (E) <sup>1</sup> A. A. Gibeault, (M) <sup>1</sup>	7 May	25 May	A unanimous report was presented by the Board, making certain recommendations for the settlement of the dispute, which were accepted by both parties concerned, a strike being thereby averted.
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## III.—THE COMBINES INVESTIGATION ACT.

In the speech from the Throne at the opening of the past session of Parliament, reference was made to the proposed introduction of a measure for the more effective control of combinations which unduly enhance prices. A Bill for this purpose was introduced in the House of Commons on January 18, 1910, by the Minister of Labour, which, after consideration by both Houses of Parliament, passed into law on the 4th of May following, under the title of "An Act to provide for the investigation of Combines, Monopolies, Trusts and Mergers." Since the Act will be administered under the direction of the Minister of Labour, it seems proper to state briefly in this report the nature of the legislation enacted and the reasons for the enactment of the same.

The legislation in question, as an examination of the Parliamentary debates will show, has not been enacted in any spirit of hostility to industrial or commercial combination. On the contrary, the benefits and economies of organization on a large scale, both in trade and industry, have been fully recognized. But whilst it is not desired to interfere unnecessarily with the free play of economic forces, it has been urged that the growth of great power under corporate control is not free from possible danger to the country at large, and, indeed, imposes upon the state the duty of insuring that no private interest shall be allowed to operate against the public good, but rather that the interest of all classes shall be afforded by the state such protection as they may require, since it is organized society which has alone made possible the organization of capital and industry. It is in recognition of this obligation on the part of the Government to the people that the present Act has been introduced and has been adopted by Parliament. The classes of transactions to which it is intended that the Act should apply have been recognized as illegal under the common law of England for centuries past, and have, moreover, been specifically declared unlawful by legislative enactment in this country. The object of the present legislation has been to place at the disposal of the people a readier and, it is believed, a more effective means than is now available in Canada of disclosing and of remedying the abuses of combines which may be formed whether as corporations, monopolies, trusts or mergers, or in the looser forms of agreements, understandings or arrangements, for the purpose of unduly enhancing prices or of restricting competition to the detriment of consumers or producers. The remedy which the Combines Investigation Act has placed at the service of the public in this respect may be shortly expressed in three words,—investigation, publicity and penalty, the first two substantially the same remedies as those offered in the case of industrial disputes by the Industrial Disputes Investigation Act, 1907, and applied by a procedure which in many respects approximates that pursued in the case of the Act named. The operation of the Industrial Disputes Investigation Act, based essentially on



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these principles, has been strikingly effective, as has been made apparent in the different official reports of the Department on the subject, and there is reason to believe that the same principle carried into this new field of investigation would be productive equally of good results.

#### METHODS OF PROCEDURE.

To secure an inquiry under the terms of the Act it is necessary that application be made to any High Court Judge by six persons, British subjects, resident in Canada and of full age, who are prepared to declare that a combine exists in respect of any article of trade or commerce and that prices have thereby been enhanced or competition restricted to their detriment, either as consumers or as producers; provided, further that a *prima facie* case is made out by which the judge has been satisfied that there is reasonable grounds for believing (1) that a combine exists which is injurious to trade; or (2) which has operated to the detriment of consumers or producers; and (3) that it is in the public interest that an investigation should be held.

All reasonable and proper expenses incurred in connection with an application for investigation under this statute may be paid on order of the judge out of an appropriation set apart for this purpose by Parliament. Provision is made also in the statute whereby the necessary expenses of the subsequent investigation may be borne by the State.

Publicity will be secured through the publication of the findings in the *Canada Gazette* and in the public press.

Whenever an order for investigation has been granted by a judge in respect of the affairs of an alleged combine the same will be communicated at once to the Minister of Labour so that steps may be taken for the establishment of a Board of Investigation.

In order that the inquiry may be as fair and as full as possible it is provided that each of the parties interested in getting at the truth, namely, on the one hand, the applicants for investigation, and on the other hand, the persons believed to be concerned in the alleged combination, may be represented on the Board of Investigation; in this way it is hoped to secure the services on the Board of persons who will be exceptionally well qualified for the work entrusted to it. Each Board established under the Act will have a membership of three, namely, one member to be appointed on the recommendation of the persons upon whose application the order for investigation has been granted; a second to be appointed on the recommendation of the persons named in the order as being concerned in the alleged combine; and the third, who shall be designated as the Chairman and who must be a judge of one of the courts of record, to be appointed on the joint recommendation of the other two members of the Board, or, in the absence of any such joint recommendation, to be appointed by the Minister of Labour.

Before entering upon his duties each member of a Board appointed under the Combines Investigation Act must swear that he will truly, faithfully and impartially perform his duties as a member of the Board; that he is a



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British subject; that he has no direct pecuniary interest in the alleged combine that is to be the subject of investigation; that he has not received and will not accept either directly or indirectly any perquisite, gift, fee, or gratuity from any person in any way interested in any matter or thing to be investigated by the Board; and that he is not immediately connected in business with any of the parties applying for this investigation, and is not acting in collusion with any person therein.

For the purposes of investigation Boards of Investigation will have all the powers which are vested in any court of record in civil cases, that is to say the right to summon and to examine witnesses under oath and the right to require the production of such books and papers or other documents or things as the Board deems requisite to the full investigation of the matters into which it is inquiring. Whenever in the opinion of the Minister of Labour the public interest so requires, the Minister of Justice may instruct counsel to conduct the investigation before a Board.

## PROCEDURE SUBSEQUENT TO INVESTIGATION.

Whenever it appears to the satisfaction of the Governor in Council as the result of any investigation or from the judgment of any court that a combine exists with regard to any article to promote unduly the advantage of the manufacturers or dealers at the expense of the consumers, and if it appears to the Governor in Council that such disadvantage to the consumer is facilitated by the duties of customs imposed on the article or on any like article, the Governor in Council may direct either that such article be admitted free into Canada or that the duty thereon be reduced to such amount or rate as will, in the opinion of the Governor in Council, give the public the benefit of reasonable competition.

In case it should appear from the report of any Board that the holder of any patent issued under the Patent Act has made exclusive use of rights and privileges thereunder "so as to unduly limit the facilities for transporting, producing, manufacturing, supplying, storing or dealing in any article of trade and commerce; or to unduly restrain or injure trade or commerce in relation to such article; or unduly to prevent, limit or lessen the manufacture or production of any article, or unreasonably to enhance the price thereof; or unduly to prevent or lessen competition in the production, manufacture, purchase, barter, sale, transportation, storage or supply of any article, such patent shall be liable to be revoked." In this respect the present legislation is intended to supplement the provisions of the Patent Law of Canada against the abuse of patent rights. Where it is reported that a patent has been misused to any of the ends above mentioned the Minister of Justice may apply to the Exchequer Court for a revocation of the same.

It is also provided that any person who has been reported by a Board for violation of the terms of this statute and who thereafter continues to offend is guilty of an indictable offence and liable to a penalty not exceeding \$1,000 per day and costs during which such person so continues to offend



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for each day after the expiration of ten days, or such extension of time as in the opinion of the Board may be necessary, from the date of the publication of the Board's report in the *Canada Gazette*.

The findings of Board may also serve as a basis for effecting other remedies in the case of offending monopolies or corporations, as for example the cancellation of licenses under the Inland Revenue Act, where it is shown the same are being used to restrict competition, or the withdrawal of subsidies, in cases of alleged combines in shipping or transportation; under the terms of section 3 of the Act the general administration of this statute is entrusted to the Minister of Labour.

#### PREVIOUS LEGISLATION IN CANADA AND ELSEWHERE.

In the framing of this enactment a careful examination has been made of the laws which were already on the statute books of Canada with respect to combines, viz.: Sections 496, 497 and 498 of the Criminal Code, 1906; Section 12 of the Customs Tariff Act, 1907; and Chapter 17 of 4 Edward VII. —“An Act to amend the Inland Revenue Act”; and an attempt has been made to supplement these measures in such respects as experience has proven desirable, having in mind especially the remarkable growth of both commercial and industrial consolidation in Canada within recent years, and the further fact that in some quarters at least this development has been held responsible for the increased prices of various classes of commodities.

In an examination of this subject attention has been directed to the work of a special committee of the House of Commons in the session of 1888 which was appointed for the purpose of inquiring into and reporting upon the existence of certain alleged combinations in the manufacturing industries, in trade and in insurance in this country, and to the effects of the inquiry, in connection with which it may be observed that the inquirer can not fail to be deeply impressed with the beneficial results accruing in matters of this nature from investigation and publicity.

At the same time a study has been made of the several legislative enactments of the United States, of various European countries, and of Australia, for the prevention and the punishment of injurious combines, so that the legislative experience of these countries in regard to what is commonly known as the Trust Problem might be available in the framing of the present enactment.

It has been made a subject of complaint that proceedings under the Anti-Combines Sections of the Criminal Code of Canada, under which a number of prosecutions have been entered, have been both slow and expensive, and subject also to such restrictions as have made it extremely difficult to secure a conviction. In its consideration of the subject Parliament has not deemed it wise to rescind these sections but has left the criminal law as it stood for possible use in such cases as time may disclose in which the penalties there provided may prove at once the most suitable and the most effective forms of punishment for offenders.



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## SOME ASPECTS OF THE NEW ACT.

Procedure under the Combines Investigation Act will not necessarily cast any stigma upon those who are held to be concerned in an alleged combine. The actual inquiry before the Board will not be in any sense a criminal prosecution, but rather in the nature of a commission of inquiry at the cost of the state into matters of concern to the public at large and on the result of which will be based such remedial action as the necessities of the case require.

Under the Anti-Combine Section of the Customs Tariff Act provision is already made for public inquiry into the facts connected with any alleged combine where it is believed that the same is facilitated to any extent by the duties of customs. It is further provided that the Governor in Council may afford a remedy to consumers by the reduction or the abolition of the duties on any article of trade or commerce affected. The advantages of inquiry in this respect were shown some years ago in connection with an investigation which was made by Royal Commission into the existence of an alleged combine of paper manufacturers. On April 10, 1901, complaint was made to the Governor in Council under this section that there existed among Canadian paper manufacturers a combine to unduly increase the price of news and printing paper. This complaint was made the subject of a special inquiry by the late Honourable Mr. Justice Taschereau, of the Superior Court of Montreal, who reported that the complaint was well founded and that in his opinion the said enhancement of prices was undue, unreasonable, and oppressive. On April 25 following, an Order in Council was passed by which relief was afforded to users of news and printing paper by the reduction of the customs tariff on these articles from 25 per cent to 15 per cent.

Under the terms of the Combines Investigation Act it will be possible for the Governor in Council, where it has been established before a Board of Investigation that any injurious combine has been formed in respect of the manufacture of certain articles in Canada, to reduce or abolish the duties on such articles. Instead, therefore, of being under the necessity of appointing Royal Commissions of inquiry into such matters the investigation of complaints in this connection may hereafter be performed by Boards under the Combines Investigation Act, although authority is retained by the Governor in Council to act upon the report of any Royal Commission or of any judgment of any court in Canada, which has disclosed the existence of a conspiracy, combination, agreement, or arrangement of a monopolistic character in restraint of trade.

It should be added that by Chapter 17 of 4 Edward VII., "An Act to amend the Inland Revenue Act," the Minister of Inland Revenue has been empowered to cancel inland revenue licenses where manufacturers holding the same have sold their goods under a monopolistic form of contract designed to prevent purchasers buying goods from any other manufacturer or dealer. In its consideration of the subject of combines generally it has not been thought advisable by the Dominion Parliament to amend or to re-



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scind the existing law in this respect, but to render it more effective by providing machinery for disclosing monopolistic forms of contract.

The text of the Combines Investigation Act is printed in the appendix to the present volume. It will be seen that the prescribed form of application for an investigation and that also of the judicial order for investigation are printed with the Act. Forms available on application have been specially prepared in the Department for these purposes, as also forms relating to the appointment of members, the oath of office, the summoning of witnesses, etc.

In the closing days of the session the sum of \$10,000 was appropriated for the administration of the Act during the year 1910-11.



#### IV.—ROYAL COMMISSION OF INQUIRY ON INDUSTRIAL TRAINING AND TECHNICAL EDUCATION.

In the House of Commons on January 28, 1910, the Minister of Labour announced that it was, in the opinion of the Government, desirable that a Royal Commission of Inquiry on the subject of Industrial Training and Technical Education should be appointed, and that it should be vested with authority to visit Great Britain, the United States, France, Germany, and, if necessary, other countries for the purpose of studying the systems of technical education which have been established by these nations, and for the purpose also of reporting on the same. On May 3 following, an appropriation of \$25,000.00 was voted by Parliament for the expenses of this inquiry. The personnel of the Commission as appointed by the Governor in Council was announced, shortly after the close of Parliament, to be as follows, viz:—

James W. Robertson, Esq., C.M.G., LL.D., of Montreal, Que., Chairman.

Hon. John N. Armstrong, Esq., of North Sydney, N.S.

George Bryce, Esq., LL.D., F.R.S.C., of Winnipeg, Man.

M. Gaspard DeSerres, of Montreal, Que.

Gilbert M. Murray, Esq., B.A., of Toronto, Ont.

David Forsyth, Esq., M.A., of Berlin, Ont.

James Simpson, Esq., of Toronto, Ont.

Mr. Thomas Bengough, Toronto, was appointed secretary and reporter to this Commission.

The needs of Canada in respect of industrial training and technical education have been brought to the attention of the Government on several occasions during recent years, in particular by the Canadian Manufacturers Association, the Dominion Trades and Labour Congress and the National Trades and Labour Congress. An elaborate memorial was presented some years ago to His Excellency the Governor General by the Canadian Manufacturers Association requesting that the Dominion Government should undertake such an inquiry as is now proposed, and for several years this body has carried on an active and enlightening campaign, resulting in the presentation at the last annual meeting of the Association of a valuable report on the subject. Similarly, deputations from the Dominion Trades and Labour Congress and from the National Trades and Labour Congress have on several occasions waited on the Government urging action along the lines proposed, and the desirability of the appointment of a Commission has frequently formed the subject of interesting debates at the annual meetings of these respective organizations, resolutions in favour of the establishment of a Dominion



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Commission having been passed from year to year. The terms of the latest resolution passed on the subject by the Dominion Trades and Labour Council are as follows:—

Whereas, the Dominion and Provincial Governments of Canada lack greatly in schools for technical education and are very much behind Germany and France in this respect, and in addition the United States, which is our closest and keenest competitor in trade matters; be it resolved, That the incoming executive be instructed to appeal to the Federal and Provincial Governments to exact such legislation, and make such appropriations as will permit the mechanic and artisan of Canada the privilege of technical education on lines of electric and civil engineering, chemistry, wood carving, modeling, etc. In spite of the fact that the Dominion Government in the past has said that according to the **British North America Act** all education is delegated to the Provincial Governments, this matter is one of national import, and could be taken up under the Department of Trade and Commerce and be well within their scope.

The resolutions passed from time to time by the National Trades and Labour Congress have been to the same effect.

Some further evidence of the public interest in the subject of technical education is found in the appointment of a special committee by the Toronto school board to visit the various cities of the United States, of which committee Mr. James Simpson, Chairman of the board, was a member. The subject also has been referred to on more than one occasion in the debates of the Dominion Parliament, formed the theme of a most interesting discussion in the House of Commons on December 6 last in connection with a resolution proposed by Mr. Hugh Guthrie (South Wellington) "That in the opinion of this House it is desirable that a Commission of Inquiry should be forthwith appointed to investigate the needs of Canada in respect of technical education, and to report on ways and means by which these needs may be best met." In pressing this resolution, Mr. Guthrie stated that he did so at the request of the Canadian Manufacturers' Association and of the Dominion Trades and Labour Congress, and further observed that resolutions in favour of the present motion had been adopted by between fifty and sixty Boards of Trade and Chambers of Commerce in Canada.

In Mr. Guthrie's speech and in the ensuing debate allusion was made to the attention which had been given to technical education in Great Britain, in the United States, in Germany, and in other foreign countries, and to the very great benefits which have been derived therefrom. The point was also strongly emphasized that the subject of technical education and industrial training is one deserving of greater attention than has been bestowed upon it in Canada up to the present time; and that, indeed, if Canadians are to obtain their share of the world's trade they must realize that this can only be done by bring their workmen up to the highest degree of efficiency and by seeing that Canadian industries are managed by men of technical training and knowledge. In the discussion of Mr. Guthrie's motion it was contended that the appointment of a Commission of Inquiry on Technical Education would not conflict with the jurisdiction of the Provinces, and that the results of the inquiry could not but prove of very great benefit to all



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parts of the Dominion through the full information which it would place at the disposal of the various Governments and interests concerned. The Minister of Finance, the Minister of Labour, and the leader of the Opposition were among those who took part in the discussion and expressed their sympathy with the object of Mr. Guthrie's motion. The debate on the motion was adjourned at the request of the Minister of Labour in order that an opportunity might be afforded to the Government of further considering this proposal from the point of view of the attitude of the Provinces towards Federal action in respect of technical education.

## CORRESPONDENCE WITH PROVINCIAL PREMIERS.

On December 13 a letter was addressed by the Minister of Labour to the Prime Ministers of the several Provinces of Canada, in which the latter were asked whether the appointment by the Federal authorities of a Commission of Inquiry into the needs and present equipment of the Dominion as respects industrial training and technical education, and into the systems and methods of technical instruction obtaining in other countries would meet with the approval of the several Provinces and whether, in particular, exception to such a course would be taken by any of the Provinces on any ground of jurisdiction. The communications in question which were exchanged between the Federal and Provincial authorities were in the following terms:

*The Minister's Letter of Inquiry.*

Ottawa, December 13, 1909.

Dear Sir:—

The Dominion Government is considering the advisability of appointing a Royal Commission to inquire into the needs and present equipment of the Dominion as respects Industrial Training and Technical Education, and into the systems and methods of technical instruction obtaining in other countries, particularly in Great Britain, France, Germany and the United States. It is intended that the commission shall be solely for the purpose of gathering information, the information when obtained to be published in a suitable report to be at the disposal of the Provinces and available for general distribution.

I may say, that the view of the Government is that a Commission of the kind suggested might render valuable services to the Dominion as a whole, since it would be in a position to conduct an inquiry on a wider and more comprehensive scale than might be considered desirable or possible in the case of the different Provinces, and which if undertaken by the Provinces individually must lead inevitably to the duplication and re-duplication of energy and expense. It is recognized, however, that the work of such a commission to be of national service should have the hearty endorsement of the Governments of the several Provinces of the Dominion, and I am, therefore, writing to ask if the appointment by the Federal authorities of a Commission of the character and scope suggested, would meet with the approval of your Government, and to inquire in particular, inasmuch as some doubt has been expressed on the point, whether exception to such a course would be taken on any grounds of jurisdiction.

Yours faithfully,  
(Signed) W. L. MACKENZIE KING,  
Minister of Labour.



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*Reply from the Premier of Nova Scotia.*

Halifax, December 23, 1909.

Dear Sir,—I beg to acknowledge the receipt of your letter of the 13th inst., on the subject of the advisability of appointing a Royal Commission to inquire into the needs of Technical Education.

I would be delighted to see such a Commission appointed by your Government; in fact, I have long advocated such a course being taken and you can accept my assurance that such a course, if adopted, will meet with the hearty approbation of the Government of Nova Scotia.

Yours truly,

(Signed) G. H. MURRAY.

Hon. W. L. Mackenzie King.

Minister of Labour, Ottawa.

*Reply from the Premier of New Brunswick.*

St. John, N.B., December 16, 1909.

Hon. W. L. Mackenzie King,

Minister of Labour, Ottawa.

Dear Sir,—I beg to acknowledge receipt of your favor of the 13th instant, informing me that the Dominion Government is considering the advisability of appointing a Royal Commission to inquire into the needs and present equipment of the Dominion as regards industrial training and technical education, and into the system of methods of technical instruction prevailing in other countries, specially in Great Britain, as a whole, and I have no hesitation in saying that the appointment by the Federal authorities of a Commission of the character and scope suggested in your letter, would meet with the approval of my Government, and no exception would be taken to such a course on any ground of jurisdiction.

Yours very truly,

(Signed) J. D. HAZEN.

*Reply from the Premier of Prince Edward Island.*

Charlottetown, December 18, 1909.

Dear Sir,—I beg to acknowledge receipt of your letter of the 13th instant, regarding the advisability of the Dominion Government appointing a Royal Commission to inquire into the needs and present equipment of the Dominion as respects Industrial Training and Technical Education, and into the systems and methods of technical education obtaining in other countries, &c., with the request that the matter should be considered and approved of by the Government of this Province, and whether exception to such a course would be taken on the grounds of jurisdiction.

In reply, I beg to say that your proposal meets with the approval of our Government, and I wish to assure you that no exception will be taken upon the grounds of jurisdiction. We believe it would be in the interest of the country at large that such a Commission should be appointed, and that all possible information be obtained upon a subject of so much importance.

Yours faithfully,

(Signed) F. L. HASZARD,

The Hon. W. L. Mackenzie King,

Premier.

Minister of Labour, Ottawa, Ont.



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*Reply from the Premier of Ontario.*

Toronto, December 16, 1909.

Dear Sir,—I have your letter of the 13th instant.

I understand that the object of the proposed Commission, to inquire into the needs and present equipment of the Dominion as respects training and technical education and into the system of methods for technical instruction obtaining in other countries, will be solely for the purpose of gathering information. This being so, I see no objection to the creation of the Commission, and no exception will be taken to it on the part of the Province of Ontario.

Yours very truly,

(Sgd.) J. P. WHITNEY.

The Hon. W. L. Mackenzie King,  
Minister of Labour, Ottawa.

*Reply from the Premier of Quebec.*

Quebec, December 30, 1909.

The Hon. W. L. Mackenzie King,  
Minister of Labour, Ottawa.

Sir,—I have submitted to my colleagues of the Executive Council the letter you were kind enough to write to me on the 13th instant, asking me whether the Government of the Province of Quebec would approve the appointment by the Federal authorities of a Commission to make an investigation concerning technical education in this country.

We are of the opinion, my colleagues and myself, that anything pertaining to public education—whether the subject be special teaching or general teaching—belongs to the Provinces exclusively, and I want to write you so, in order that there may be no misunderstanding on that point. As, on the other hand, you give me the assurance that the Federal authorities, in instituting a Commission of Investigation, would simply do it with a view to help the Provincial Governments by having collected information which they would later on put at the disposal of the latter, we see no objection to the appointment of such a Commission.

Please accept, Sir, the expression of my highest regards,

(Sgd.) LOMER GOUIN,

Prime Minister.

*Reply from the Premier of Manitoba.*

Winnipeg, December 16, 1909.

Sir,—I have the honor to acknowledge receipt of yours, under date of December 13th, regarding the advisability of appointing a Royal Commission to inquire into the Industrial training and technical education of Canada.

I appreciate the fact that education is a matter under the Constitution entirely vested in the Provinces and realize that it is a delicate question on which to give advice such as you solicit.

The matter is an important one and I think, in view of the rapid strides along industrial lines that the Canadian people are making, there



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is necessity for more attention being given to technical education than what has been the practice or custom in the past.

I shall certainly be pleased to see more interest taken in this matter, and our young men better qualified for the opportunities that are offered along industrial lines by having a first-class technical education to qualify them for the responsible and important positions that are awaiting men of that quality.

I have the honor to be, Sir

Your obedient servant.

(Sgd.) R. P. ROBLIN,  
Premier.

Hon. W. L. MacKenzie King,  
Minister of Labour, Ottawa.

*Reply from the Premier of Saskatchewan.*

Regina, December 21, 1909.

Dear Mr. King,—I have duly received your letter of the December 13th on the subject of Technical Education and the proposal now under consideration by your Government for instituting an inquiry by a Royal Commission, and which asks whether the proposal meets with the approval of the Saskatchewan Government, and whether any exception would be taken by us on the ground of jurisdiction.

I may very readily state that the Saskatchewan Government will raise no objection against the proposed inquiry by the Dominion Government on any grounds; on the contrary we believe that the Federal Government is the proper authority to proceed in the matter in the way proposed, that it is a subject which can be more efficiently, economically, and effectively dealt with by the Central Government than by the various Provincial Governments; and, in addition that, inasmuch as industrial training and technical instruction intimately affect trade and commerce, these branches of education ought to be viewed from the National rather than from the Provincial standpoint.

Believe me,

Very sincerely yours,

(Sgd.) WALTER SCOTT.

Hon. W. L. MacKenzie King, C.M.G.,  
Minister of Labour, Ottawa, Ontario.

*Reply from the Premier of Alberta.*

Edmonton, Alta., Dec. 28, 1909.

Dear Sir,—I am instructed by the Hon. Premier Rutherford to acknowledge receipt of your letter of the 13th, in reference to the advisability of the Dominion Government appointing a Royal Commission to inquire into the needs and present Industrial Training and Technical Education.

I am directed by the Premier to say that this project meets with the hearty endorsation and approval of his Government.

Yours faithfully,

(Sgd.) M. J. McLEOD.  
Clerk Executive Council.

Hon. W. L. Mackenzie King,  
Minister of Labour, Ottawa, Ont.



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*Reply from the Premier of British Columbia.*

Victoria, January 15, 1910.

Hon. W. L. Mackenzie King,  
Minister of Labour, Ottawa, Ont.

Dear Sir,—I beg to confirm my telegram to you of January 10, as follows:—

“Owing to absence of Minister of Education with whom I wished “to confer, regret being unable to reply sooner to your favour regarding “Technical Education. He has now returned and an answer will be sent “you promptly.”

Having since then had an opportunity of consulting with the Minister of Education, I beg to state that the appointment of a Commission by the Dominion to inquire into the subject of Industrial Training and Technical Instruction meets with the approval of this Government.

It is not the intention of the Government of this Province to take exception to the course you propose on any grounds of jurisdiction.

I might add that this Government will gladly afford any facilities in its power to assist in carrying out the object in view.

Yours very truly,  
(Sgd.) RICHARD McBRIDE.



V.—SPECIAL REPORT ON WHOLESALE PRICES, 1890-1909, INCLUSIVE  
—INAUGURATION BY THE DEPARTMENT OF A COMPREHENSIVE METHOD OF PRESENTING STATISTICS OF PRICES.

For some time past, and especially since the beginning of the present century, one of the most important features of the general economic situation in Canada has been a rapid and continuous advance in prices and the cost of living. Reaching in 1907 a level unprecedented in many years previously, prices receded to some extent in 1908; the check, however, proved but temporary, and in the closing months of 1909 the high cost of living had become the subject of discussion throughout the community affecting as it did the immediate well-being of nearly every one, especially those of the wage-earning and other classes dependent on a fixed income.

In the United States as in Canada public feeling was greatly aroused. Boycotts against the use of meats and other provisions were undertaken in several localities, and numerous investigations into the nature and causes of the increase were conducted both on public and private initiative. "When the history of 1910 comes to be written," says the Editor of *Bradstreet's Journal*, in an article published during March, 1910, "not the least memorable of its happenings to be chronicled will probably be the great agitation, partaking of the proportions of a national revolt against the high prices of food."

DEPARTMENTAL RECORD OF PRICE CHANGES.

For some years past the opening article of the *Labour Gazette* has contained a paragraph devoted to a brief mention of the more important price changes reported in the preceding month. Prices have been regarded in this statement in a twofold light, first, as indicating tendencies in the cost of living, and, secondly, as reflecting current industrial and trade conditions. Both wholesale and retail price fluctuations have been included in this statement, the former as a barometer of passing business sentiment and the latter as representing changes in the actual cost of living to the consumers.

The unsatisfactoriness of general statements in such a matter led the Department some time ago to design a more comprehensive and systematic manner of treating the subject of prices, and steps to carry out this design were taken early in 1909. It was decided to deal henceforward with wholesale and retail prices separately. As the latter depend largely on local conditions, quotations for over thirty staple commodities entering largely into the cost of living (including foods, fuel and lighting, to which rentals were added), are to be obtained monthly from forty-eight important industrial centres throughout Canada. This, it is thought, will cover adequately the cost of living aspect.\* With regard to wholesale prices a list of 230 articles representing the most important departments of Canadian production and trade was compiled, quotations of each article to be obtained from month to month in a governing or representative wholesale market, the whole to be combined and analysed in accordance with accredited statistical practice. It may be added that in carrying on the latter record it was decided to employ the method of index numbers and to reduce the statistics each month to a series

\*For a more detailed description of this feature see reference in the chapter of the present report devoted to the work in connection with the *Labour Gazette* during the past year.



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of indices whereby the movement of prices both as a whole and in the leading departments of trade might be measured with some degree of accuracy.

## SPECIAL INVESTIGATION INTO WHOLESALE PRICES.

It was shortly after the above arrangements had been determined upon that the general cost of living situation entered upon that acute stage to which reference has been briefly made above. It will readily be understood that the inauguration of a periodic review involving the calculation of an index number requires a careful preliminary investigation in order to establish a proper basis for the future inquiry. It was, accordingly, with a two-fold object that the Department began early in 1909 a special investigation into the course of wholesale prices in Canada during the past twenty years, namely, from the beginning of 1890 up to and including the year 1909. The twofold object was, (1) to afford, as above stated, a proper basis for the monthly index number, and (2) to place at the disposal of the public at the time when the general interest in the question was at its height, comprehensive and accurate information concerning the rise in prices which has occurred during the past few years, accompanying the same with various material not readily accessible which might be of value in connection with the study of price fluctuations in Canada. The investigation proved to be the most elaborate and extended work of the kind ever carried out by the Department, and it was decided in view of the general interest in its subject to publish its results in the form of a special result.

## GENERAL PLAN OF THE INVESTIGATION.

The investigation was limited to the past twenty years, owing to the fact that it was found possible within that period to go back some distance prior to the time at which the recent rise began and thus to obtain a sufficiently detached point of view.

The commodities were arranged for the purpose of the inquiry in thirteen general groups as follows:—

Group.	Number of Commodities.
1. Grains and fodder.....	13
2. Animals and meats.....	15
3. Fish.....	9
4. Dairy produce...	5
5. Other foods (groceries, fruits, vegetables, etc.)	37
6. Textiles:—	
(a) Woollens.....	5
(b) Cottons.....	4
(c) Silks.....	3
(d) Linens.....	3
(e) Jutes.....	2
(f) Miscellaneous..	2
7. Hides, leather, boots and shoes	11
8. Metals and implements.	27
9. Fuel and lighting.....	10
10. Building material:—	
(a) Lumber.....	11
(b) Other building materials..	14
(c) Paints, oils and glass.	14
11. House furnishings (furniture, crockery and glassware, kitchen furnishings and table cutlery).....	15
12. Drugs and chemicals.....	16
13. Miscellaneous:—	
(a) Furs.....	4
(b) Liquors and tobaccos.....	4
(c) Sundry.....	6

For each of the 230 commodities in the investigation an effort was made to secure a reliable price quotation in a primary or a representative wholesale



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market for the opening market day of each month in each year back to 1890. The daily press and weekly trade journals, the printed reports of exchanges, boards of trades, &c., were the sources chiefly laid under contribution, the Toronto and Montreal markets furnishing the great mass of the quotations. It may be added that the books of manufacturers and wholesalers were, by courtesy of the owners,, consulted in many instances for supplementary information and for general purposes of verification.

In analysing and interpreting the results the well-known method of index numbers was employed. An index number of any article or number of articles at any date is the percentage which the price of that article or number of articles at the date in question is of the price of the same article or articles at some other date or period selected as a standard. Percentages of this kind, it will be understood, may be combined and compared in a way impossible with actual prices. In the present investigation the period selected as the base or standard was the decade 1890-1899.

#### A SPECIAL REPORT ISSUED.

These and other details with regard to the investigation were set forth in the introductory portion of the special report embodying the results of the investigation, which, as above stated, was prepared in the Department during the past year, being in the press as the year closed. The remaining part of this chapter may take the form of a review of the report and of the leading results therein set forth.

In presenting the statistics, the subject matter of the report was divided into three parts:

Part I.—In the first part of the report, the records of actual price quotations obtained are given. These represent the complete body of statistical matter secured in the case of each commodity and form the ground work of the whole report. Full details are given at the head of each table of the source of the statistics, exact quantity of the articles quoted, &c. The average price for each year is also shown.

Part II.—Following the tables of actual prices, a series of tables is given in which the average annual prices shown in Part I. are expressed in the form of index numbers. This enables the price fluctuations of the several commodities from year to year to be compared on a similar basis and to be combined so as to show the movement by related groups. An index number is given for each commodity, for each of the several divisions and subdivisions indicated in the list of commodities, and for certain other groupings which it is thought will be of interest.

Part III.—In the third division of the report a series of charts is published which will show at a glance the more important features of the price movement of the past twenty years. These charts are based on Parts I. and II. and are self-explanatory.

Appendix.—In an appendix to the report various matter of direct interest to the study of prices is presented. The appendix is in three parts: (1) a description of the technical problem involved in the construction of the index number. (2) A review of the more celebrated index numbers of Great Britain and foreign countries, with tables and diagrams of the results which they severally show. (3) A statement as to the causes and effects of



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price variations, with special reference to existing conditions in Canada, and the character of the data necessary to determine the same with exactness.

## GENERAL RESULT OF THE INVESTIGATION.

The net result of the investigation is perhaps most clearly indicated by the chart on the opposite page, in which the line indicates the course which the averaged prices of all commodities included in the investigation followed from 1890 to 1909, inclusive. The level indicated by the number 100 represents the average price of the commodities during the decade 1890-99.

The aggregate index number on which the chart is based is shown in the table published on page 107, which also contains from year to year the index numbers for the several groups into which the commodities are divided.

On referring to the table and chart, it will be seen that prices in Canada followed a downward course from 1890 to 1897. This was succeeded during the ensuing decade by a more rapid upward movement which culminated in 1907. The last mentioned year was by a considerable margin the highest point in the twenty-year period. Prices fell in 1908, but were upward again in 1909.

Comparing the more important points in this progress with the average level of prices during the decade 1890-1899, it will be seen that in 1890 prices were somewhat over 10 per cent above the average. In 1897, after three years of panic depression and political unrest in the United States and Canada, they had fallen to a point nearly 8 per cent below. Within six years thereafter, however, they regained this loss. Continuing to mount with extreme rapidity, in 1907 they reached a point over 26 per cent above the average of the base decade. The recession in 1908 amounted to nearly five points. During 1909 this recession was checked and a gain in the opposite direction registered.\*

Comparing the high year 1907 with the low year 1897 the advance amounted to approximately 37 per cent. Comparing the year 1909 with the low year 1897 the increase shown is approximately 31.5 per cent.

Referring to the several groups it will be seen that the chief advances occurred in lumber, grains and fodder, animals and meats, furs, hides and leather, paints, fish and dairy produce. None of the other groups show a decline compared with the base decade, but metals and implements, fuel and light and drugs and chemicals are but slightly above the average of 1890-1899. Somewhat larger advances are shown by textiles, fruits, groceries, house furnishings, other building materials, and liquors and tobaccos.

In arriving at the above conclusions, the simple average of the prices of all the commodities covered in the investigation was taken. In other words the several commodities of the list were regarded as of equal importance from the standpoint of the consumer. An experiment in weighing the various commodities which was also made, showed somewhat wider fluctuations but little material change from the above.

## NUMBER OF ARTICLES SHOWING AN INCREASE OR DECREASE IN PRICE.

An indication, less specific than the above, of the general course of prices during the period, is obtained by noting the number of articles which show an increase or decrease in price in the final year, as compared with the period selected as the standard (1890-1899), and the more important turning points in the line.

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\* During the first half of 1909 the downward tendency of 1907 was continued, the gain for the year as a whole having been made during the closing months, so that the upward tendency in progress during the autumn was more pronounced than that indicated by the index number for the year as a whole.

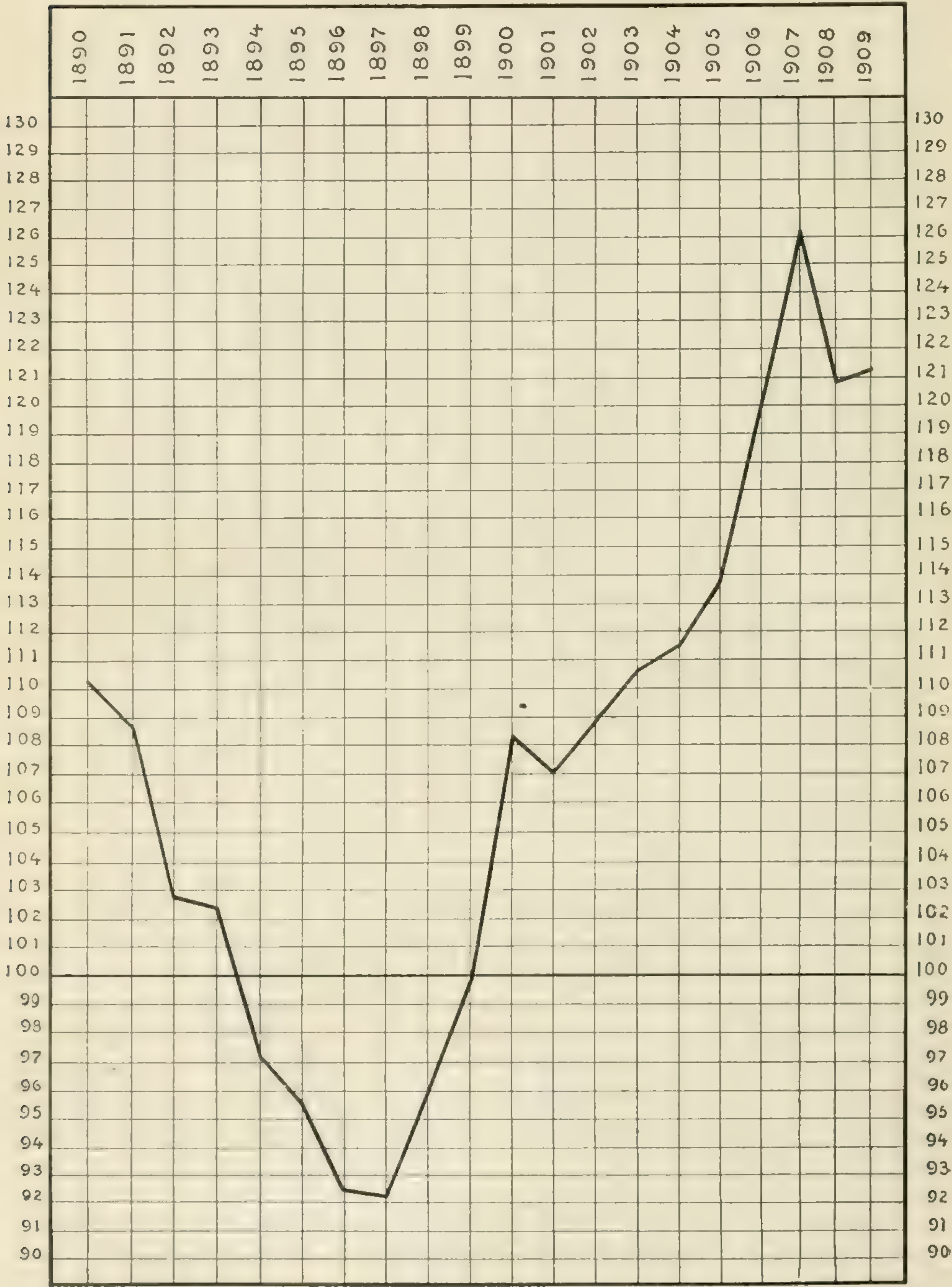


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CHART SHOWING THE COURSE OF WHOLESALE PRICES IN CANADA DURING THE TWENTY YEARS, 1890-1909.

[Number of Commodities—203.]

[Average Price, 1890-1899=100.]





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TABLE SHOWING INDEX NUMBERS OF ALL COMMODITIES BY GROUPS, 1890-1909.

	1890.	1891.	1892.	1893.	1894.	1895.	1896.	1897.	1898.	1899.	1900.	1901.	1902.	1903.	1904.	1905.	1906.	1907.	1908.	1909.
1. Grains and fodder.....	116.7	123.9	106.7	99.1	94.3	98.8	85.2	80.6	98.8	96.7	99.9	107.3	116.1	106.5	115.5	116.4	118.5	140.2	148.3	149.9
2. Animals and meats.....	111.2	104.7	108.5	117.7	98.7	92.2	82.4	90.4	97.9	95.1	103.4	111.3	122.2	117.9	111.3	120.7	130.1	133.8	129.6	148.6
3. Dairy produce.	103.6	106.2	105.8	110.4	104.6	94.8	90.1	99.1	92.9	101.4	109.0	102.5	106.9	108.9	107.2	115.1	120.2	131.5	136.3	133.6
4. Fish.....	103.3	97.3	90.6	99.7	96.4	101.4	102.6	98.6	99.6	110.0	106.4	113.2	110.2	116.2	119.5	115.7	120.8	129.5	120.5	134.0
5. Other foods...	120.3	121.3	104.7	102.1	95.0	95.2	87.1	86.0	94.3	93.6	96.4	98.6	98.4	98.1	101.8	100.7	103.1	112.5	110.3	107.6
6. Textiles.....	111.4	104.2	102.2	101.2	97.3	93.6	96.9	98.0	95.2	99.8	100.0	103.6	101.0	105.9	110.4	114.6	123.4	126.1	111.0	108.3
7. Hides, tallow, leather, boots and shoes	100.6	102.6	99.8	101.8	89.9	98.6	92.9	100.1	105.0	109.4	113.8	112.8	118.2	115.7	113.6	119.6	128.1	125.5	120.0	135.4
8. Metals and implements— (a) Metals..... (b) Implements...	125.4	114.4	107.6	102.1	91.1	87.0	87.5	85.7	87.6	111.9	121.2	110.4	102.8	105.5	99.7	108.4	128.6	134.8	106.3	101.9
9. Fuel and lighting...	103.8	103.2	102.9	102.6	102.2	101.0	95.5	93.1	94.3	98.0	100.1	102.2	104.7	105.7	106.2	106.1	106.0	107.1	104.2	102.4
10. Building materials— (a) Metals..... (b) Miscellaneous building materials (c) Paints, oils, glass.....	107.4	106.7	106.6	102.9	97.5	97.0	98.9	96.4	93.5	96.9	100.8	98.1	101.9	111.0	103.0	104.1	106.4	108.8	102.2	103.8
11. House furnishings.....	103.5	102.7	104.4	103.7	104.6	102.8	97.1	93.9	90.8	95.8	114.0	114.6	122.0	128.8	131.3	134.1	152.7	165.2	162.6	154.6
12. Drugs and chemicals.	117.6	110.4	106.8	103.7	98.7	95.2	93.9	87.7	87.4	97.2	111.8	106.0	101.6	107.7	107.2	106.8	104.7	108.7	107.5	105.7
13. Miscellaneous— (a) Furs. (b) Liquors and tobacco..... (c) Sundry...	109.5	103.8	98.2	98.6	95.5	96.1	96.2	95.5	100.0	107.6	125.9	121.9	128.1	126.3	122.4	125.3	135.3	141.2	136.8	135.2
	100.2	100.5	100.9	101.1	101.3	97.9	97.5	99.8	99.6	100.2	110.2	107.9	109.2	109.6	112.7	107.3	113.0	112.7	112.8	110.4
	110.5	110.3	104.4	104.4	103.1	100.3	99.8	96.5	96.8	93.3	101.5	99.8	102.2	105.5	109.6	106.4	106.3	108.5	107.1	103.9
	86.5	99.7	103.7	123.6	113.5	80.5	80.7	88.0	111.1	111.8	147.3	140.9	145.2	168.1	171.3	217.4	229.2	239.4	231.8	227.2
	94.9	99.0	99.7	99.4	98.7	99.4	98.0	103.9	103.9	102.3	103.3	103.3	103.7	107.0	107.8	108.1	108.1	125.5	118.0	117.5
	112.0	106.7	98.9	100.3	93.7	91.3	92.6	91.2	103.3	109.5	113.0	110.9	116.8	115.9	119.1	121.1	120.9	123.0	117.6	121.6
Total..	110.3	108.5	102.8	102.5	97.2	95.6	92.5	92.2	96.1	100.1	108.2	107.0	109.0	110.5	111.4	113.8	120.0	126.2	120.8	121.2



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The following table gives a summarized comparison on this basis, of prices in 1909 with (1) average prices for the base decade; (2) prices during the year 1890; (3) prices during the low year, 1897, and (4) prices during the high year, 1907:

NUMBER OF ARTICLES OF WHICH PRICES IN 1909 SHOW AN INCREASE OR DECREASE.

Compared with 1890-1899.			Compared with 1890.			Compared with 1897.			Compared with 1907.		
In-crease.	De-crease.	No change.	In-crease.	De-crease.	No change.	In-crease.	De-crease.	No change.	In-crease.	De-crease.	No change.
160	58	4	129	82	6	176	42	3	90	109	31

The above shows that comparing average prices in 1909 and 1897, four times as many advances as declines are indicated. When the comparison is between 1909 prices and those of the base decade, about three times as many advances as declines are shown. As between prices in 1909 and in 1890, half again as many articles show an advance as those which show a decline. Compared with the high year 1907, the decline in the general average was caused by decreases in 109 articles, *i.e.*, less than half of the total number, while 90 articles advanced in price, some 31 showing little or no change.

COMPARATIVE LEVEL OF PRICES IN 1909.

The general level of prices in the several groups in 1909, expressed in percentages of increase or decrease, as compared (1) with 1890; (2) with the decade 1890-1899, and, (3) with the low year in the respective groups, is shown in the following table:

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PERCENTAGE OF INCREASE SHOWN BY PRICES IN 1909.

Group.	Compared with 1890.	Compared with decade 1890-1899.	Compared with the low year.
Grains and fodder.....	28.4	49.9	85.9 (1897)
Animals and meats.....	33.6	48.6	80.3 (1896)
Dairy produce.....	29.7	33.6	48.2 (1897)
Fish.....	29.7	34.0	47.9 (1892)
Other foods.....	11.8*	7.6	25.0 (1897)
Textiles.....	2.8*	8.3	15.7 (1895)
(a) Woollens..	7.3	14.2	31.2 (1902)
(b) Cottons....	10.7	29.8	43.5 (1898)
(c) Silks.....	27.1*	6.8*	5.9 (1901)
(d) Flax products.....	3.2*	4.0*	22.6 (1895)
(e) Jutes..	5.2	12.5	25.7 (1898)
(f) Oilcloths.....	27.6*	4.6*	17.6 (1899)
Hides, leathers and boots and shoes.....	34.5	35.4	45.9 (1896)
Metals and implements	14.0*	2.1	14.9 (1897)
Fuel and lighting.....	3.4*	3.8	11.0 (1898)
Building materials—			
(a) Lumber.....	49.3	54.6	70.2 (1898)
(b) Paints, oil and glass.....	23.4	35.2	1.5 (1897)
(c) Other building materials.....	11.2*	5.7	20.9 (1898)
House furnishings	10.1	10.4	13.2 (1896)
Drugs and chemicals....	6.3*	3.9	11.3 (1899)
Miscellaneous—			
(a) Furs.....	162.6	127.2	182.2 (1895)
(b) Liquors and tobacco.....	23.8	17.5	23.8 (1890)
(c) Sundry.....	8.5	21.6	33.3 (1897)
All.....	9.8	21.2	31.4 (1897)

\*Decrease



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## HIGH AND LOW PRICES.

In order to show at a glance the extreme range of actual prices in the case of each commodity the accompanying table of the highest and lowest prices shown for each was compiled from the detailed tables of Part I of the report.

Reckoning by yearly averages, the following table shows the years in which more than ten commodities reached their highest level:

Year.	Number of Commodities.
1909..	55
1907.....	36
1908.....	30
1890..	27
1891..	15
1906..	14
1900..	11
1904.....	10

The years showing the largest number of commodities on their lowest levels are as follows:—

Year.	Number of Commodities.
1897.....	33
1896..	29
1898..	23
1899..	18
1894..	18
1895..	17
1890....	17
1892.....	12

## OTHER GROUPINGS.

The groupings into which the commodities have been arranged were dictated largely by Canadian industrial and commercial conditions. Other arrangements of the commodities may be desirable with specific ends in view, and may easily be made.

For example, the following tables show the general level of prices in 1909 compared with those of the decade 1890-1899 for the following groups: (1) Crude farm products; (2) manufactured farm products; (3) imported foods; (4) all foodstuffs, and (5) products of the mine.

## CRUDE FARM PRODUCTS.

Wheat, western....	140.5
Wheat, Ontario....	143.0
Oats, western.....	133.3
Oats, Ontario.....	150.7
Barley, western....	160.9
Barley, Ontario....	145.1
Corn, No. 3, Ontario.....	164.6
Peas, Ontario.....	158.4
Rye Ontario.....	140.0
Hay....	135.0
Straw.....	133.8
Cattle, western.....	112.4
Cattle, Ontario.....	147.5



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Hogs, Ontario.	152.2
Sheep.....	100.0
Fowls.....	188.3
Turkeys.....	185.8
Milk.....	127.8
Eggs.....	171.5
Beans.....	177.9
Honey.....	147.4
Wool, washed.....	106.6
Wool, unwashed.	107.5
Apples.....	150.5
Grapes.....	104.9
Peaches.....	105.7
Pears...	102.1
Plums..	89.4
Potatoes..	142.8
Turnips.....	93.7
All...	137.3

## MANUFACTURED FARM PRODUCTS.

Flour, straight, roller.....	136.7
Flour, strong bakers.....	123.2
Flour, winter, wheat patents.....	124.5
Flour, Manitoba, first patents.....	123.9
Bran.....	182.2
Shorts.....	162.2
Oatmeal.....	143.3
Beef, dressed.....	168.2
Veal, dressed.....	142.6
Mutton, dressed.....	121.7
Bacon.....	146.0
Hams.....	131.1
Hogs, dressed.....	166.8
Lard.....	161.3
Tallow.....	112.9
Salt pork.....	157.1
Hides, steers and cows.....	205.4
Calfskins.....	192.3
Horsehides.....	100.5
Leather.....	119.5
Linseed oil, raw.....	109.7
Linseed oil, boiled.....	109.9
Butter.....	122.2
Cheese.....	124.4
Maple sugar.....	108.0
Apples, evaporated.....	93.6
Flax, fibre.....	117.2
Tow.....	60.6
Malt.....	123.4
All.....	134.1

IMPORTED FOODS. <sup>1</sup>

Chocolate.....	110.9
Coffee, Rio.....	51.8
Coffee, Santos.....	62.8
Cream of tartar.....	84.7
Currants.....	137.2
Raisins.....	78.8
Bananas.....	115.2
Molasses.....	78.6
Pepper.....	101.6
Rice.....	113.3
Sugar, yellow.....	107.8
Sugar, granulated..	95.0
Tapioca.....	93.2
Tea.....	132.6
All...	96.2

<sup>1</sup>Including foods manufactured from imported raw material.



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ALL FOODS.	
Grains and fodder.....	149.9
Animals and meats.....	148.6
Dairy produce.....	133.6
Fish.....	134.0
Other foods.....	107.6
All.....	126.7

PRODUCTS OF THE MINE.	
Antimony.....	68.9
Copper.....	105.8
Lead.....	99.1
Silver.....	69.6
Spelter.....	105.8
Tin.....	149.7
Coal, Nova Scotia.....	124.7
Coal, Crow's Nest Pass.....	113.3
Coal, Pennsylvania, anthracite.....	113.9
Iron, pig, No. 1, foundry, Nova Scotia.....	114.3
All.....	106.5

To the above it may be added that the 110 articles manufactured in Canada, contained in the list of commodities quoted in the present investigation, show an average level of 114.1 in 1909, compared with the average for the decade 1890-1899.

## WHAT ANALYSES SHOW.

From the above and other analyses several important central facts as to the general situation at present are set forth in the report. Of the great producing industries, agriculture seems to show the largest increase in prices. Crude farm products (grains, fodder, meat-producing animals, milk, eggs, wool, fruits, vegetables) have advanced by over 37 per cent, compared with the base decade. The products made therefrom (meats, bran, flour, hides, leather, &c.) have increased by over 34 per cent. On the other hand, imported foods are lower than they were during the decade 1890-1899. Fish products are nearly, but not quite, so high as farm products. Products of the mine are only slightly above the level of the decade, and, if coal be excluded, are below that average. Coming to Canadian manufactured products, the general level is about 14 per cent above the level of the base decade. Included in this estimate are various grades of Canadian lumber, which on an average, are 50 per cent dearer than during the base period. If lumber be excluded, the manufactured products of Canada show a gain of less than 10 per cent, compared with the decade 1890-1899. These and other facts of a like nature are of the utmost significance in connection with the interpretation of the results of an investigation like the present. The tables of index numbers permit of many variations upon the theme.

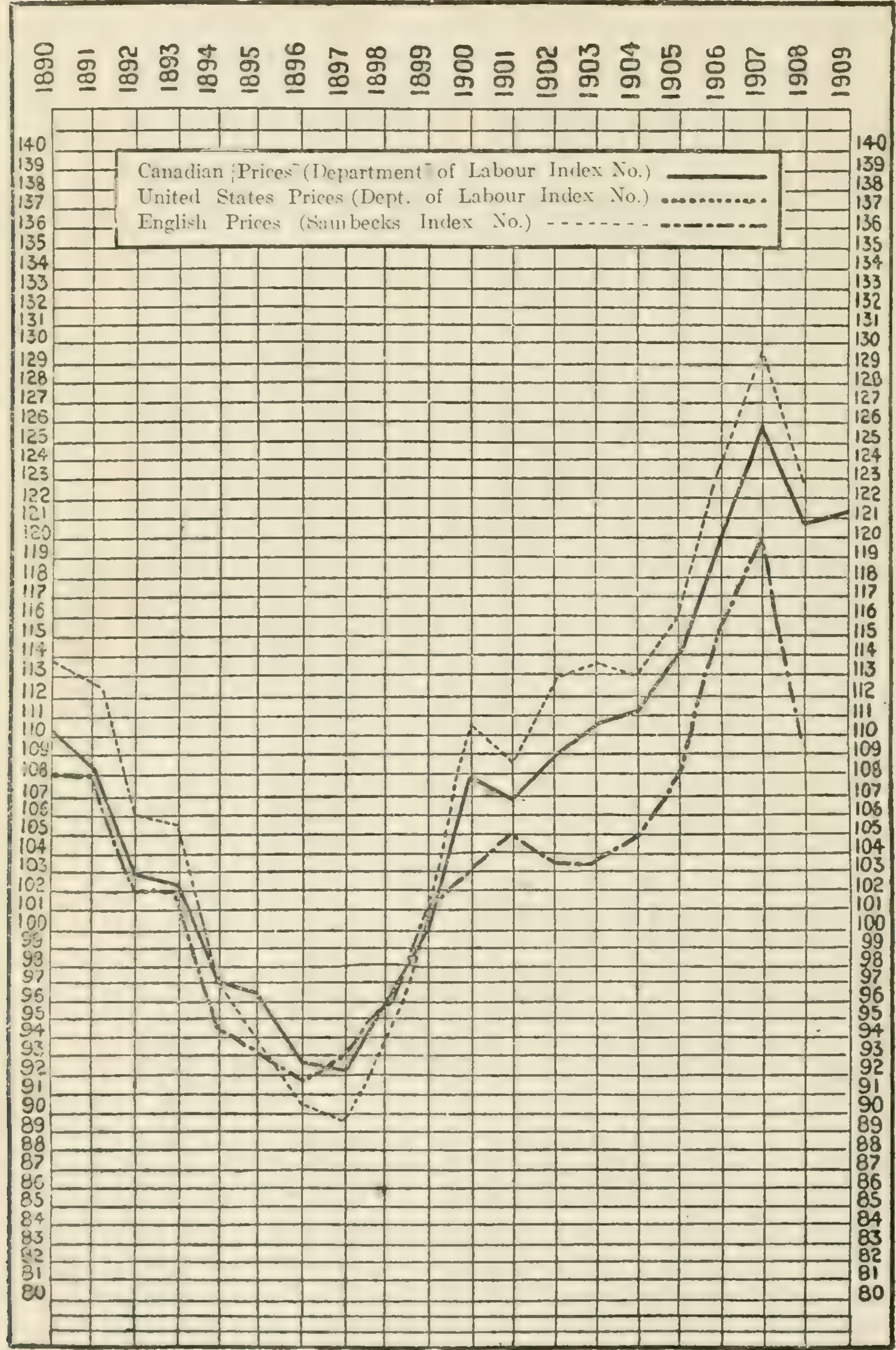
## COMPARATIVE PRICES, 1890-1899, IN CANADA, GREAT BRITAIN AND THE UNITED STATES.

Part II. of the appendix to the report contains, as above stated, a review, in greater or less detail, of the findings of the best known index numbers in Great Britain, the United States and other countries. These are reprinted in order to render easily available a body of material of exceptional value in connection with the study of prices, and as throwing light (prices of many articles being determined by world conditions) on the current situation in Canada. Based on certain of the tables and diagrams therein reproduced, a comparison of the course of prices in Canada, as shown by the present investigation, with the current movement in Great Britain and the United States, the two countries with which the commercial and economic interests of the Dominion are most closely associated, is given in the diagram on the following page.



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CHART SHOWING THE RELATIVE COURSE OF PRICES IN CANADA, THE UNITED STATES AND GREAT BRITAIN.





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## REVIEW OF PRICE CHANGES IN CANADA.

The report also contains a review *in extenso* of the more important changes shown during the past twenty years in the price of each of the 230 commodities embraced in the investigation.

Special mention may also be made of the large body of interesting and suggestive materials presented in the appendix to the report. After a detailed description of the various technical problems entering into the construction of an index number, covering such points as the selection of the commodities, considerations involved in the selection of a base period and the combining of the statistics to form an index number, the more celebrated investigations into prices made in Great Britain and other countries are passed in review and their results transcribed. In this way a large amount of valuable matter is placed in a readily accessible form at the disposal of the Canadian public, including the results of the well known index numbers compiled by the London *Economist*; Professor Jevons; Professor Inglis Palgrave; Mr. Augustus Sauerbeck; the Board of Trade, Great Britain; Soetbeer; the Finance Committee of the United States, 1891; the United States Board of Trade; Dun; Bradstreet and others. In the analysis which follows of the causes and effects of price changes, an attempt is made to point out the more important economic laws, some knowledge of which is essential to the proper understanding of the complex and many sided problem of prices.

The report may be obtained on application to the Department of Labour, Ottawa, Ont.

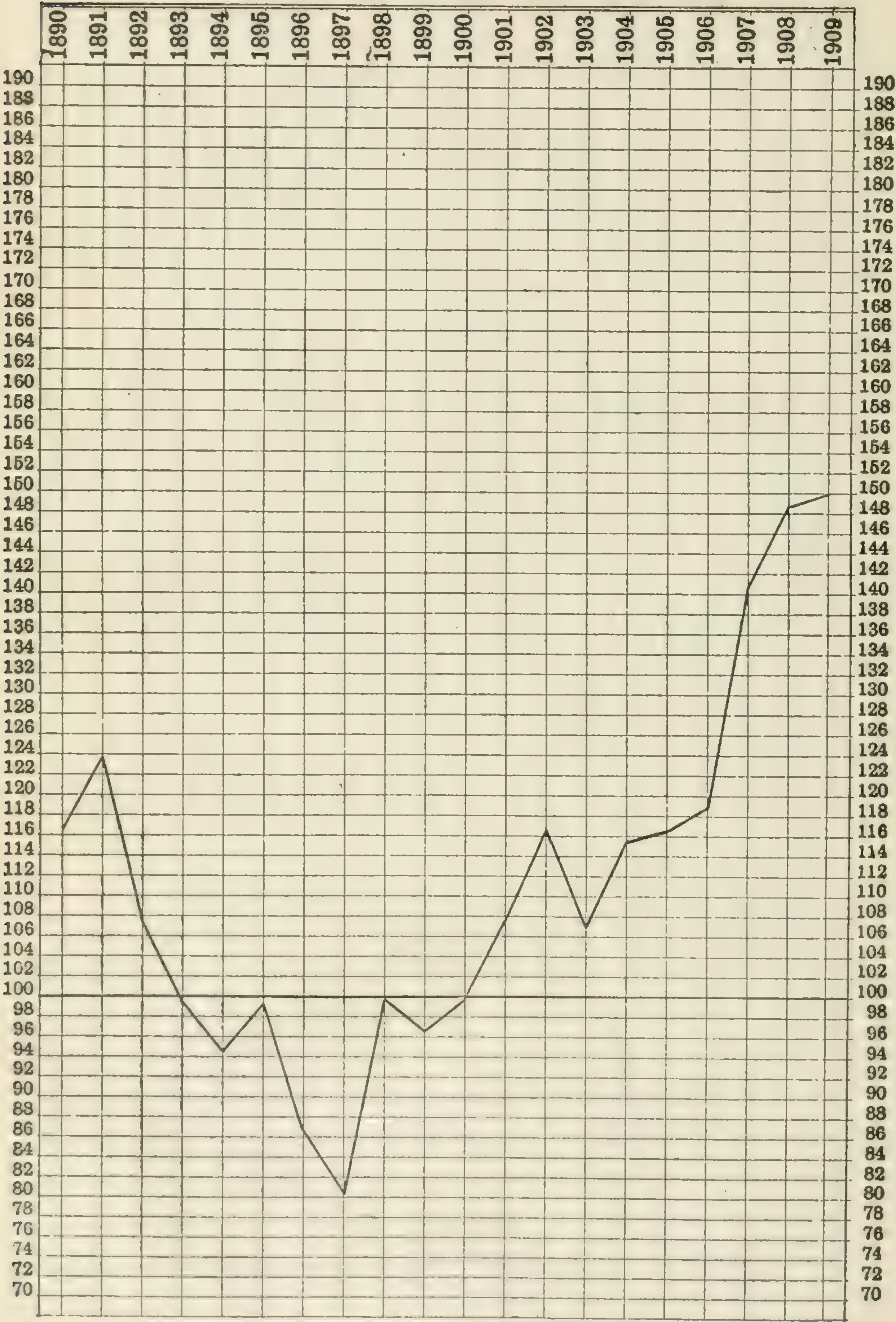
In the following pages certain of the charts contained in Part III. of the report, relating to the various groups into which the investigation is divided, are reproduced. Altogether 114 of these plates are contained in the report.



1 GEORGE V., A. 1911

CHART SHOWING RELATIVE PRICES OF GRAINS AND FODDER, 1890-1909.

Commodities included: Barley, Western; Barley, No. 2 Ontario; Bran; Corn, No. 3 Yellow; Hay No. 1; Oats, No. 2 White, Western; Oats, No. 2 White, Ontario; Peas, No. 2 Ontario; Rye, No. 2 Ontario; Shorts; Straw; Wheat, No. 1 Northern; and Wheat, No. 2 White, Ontario.  
(Average Price 1890-1899 = 100)



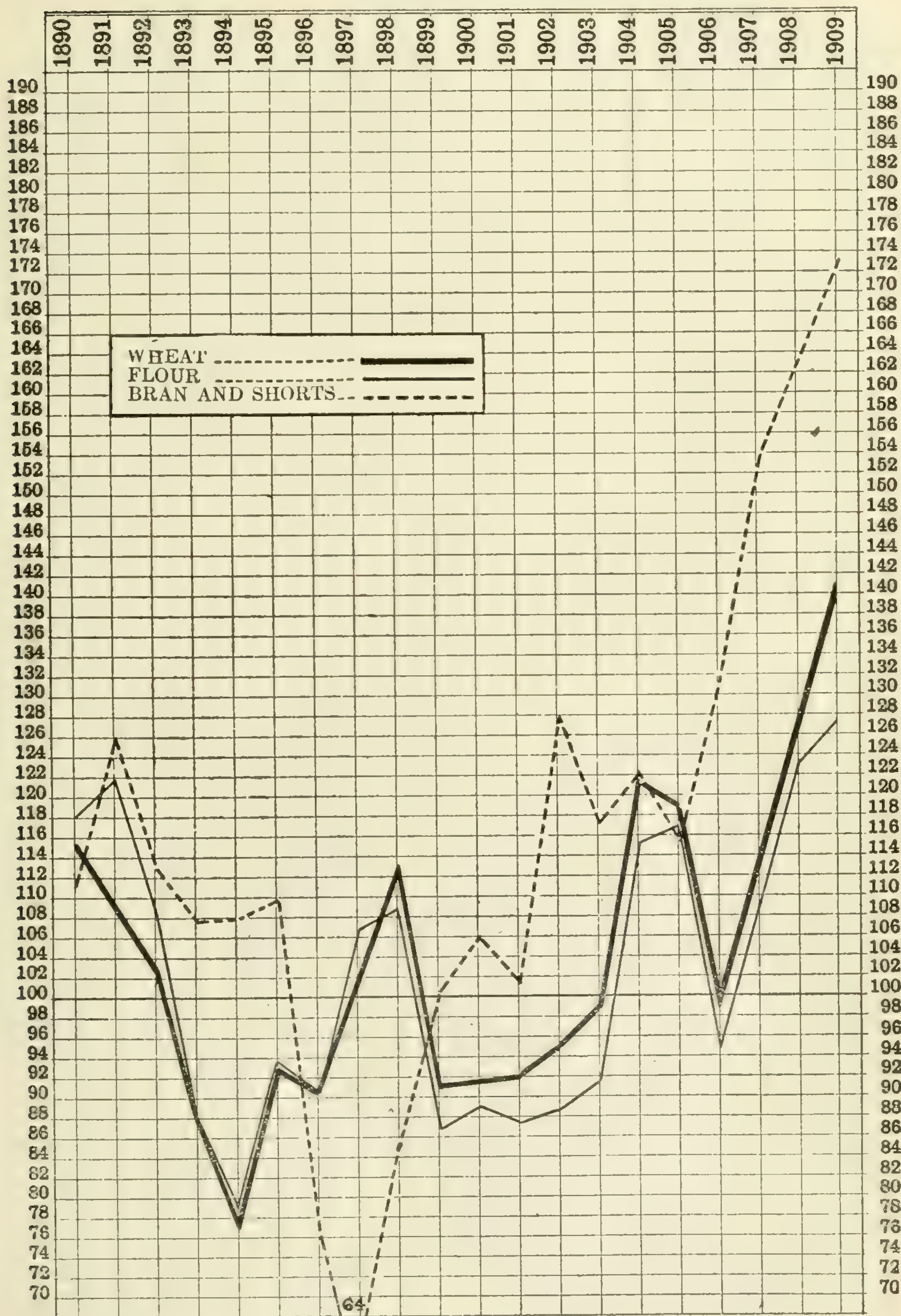


## SESSIONAL PAPER No. 36.

CHART SHOWING RELATIVE PRICES OF WHEAT, BRAN AND SHORTS, AND FLOUR, 1890-1909.

Wheat, including Manitoba Northern No. 1 and Ontario White No. 2; Flour, including Straight Rollers, Strong Bakers, Winter Wheat Patents and Manitoba First Patents; Bran and Shorts.

(Average Price 1890-1899=100)



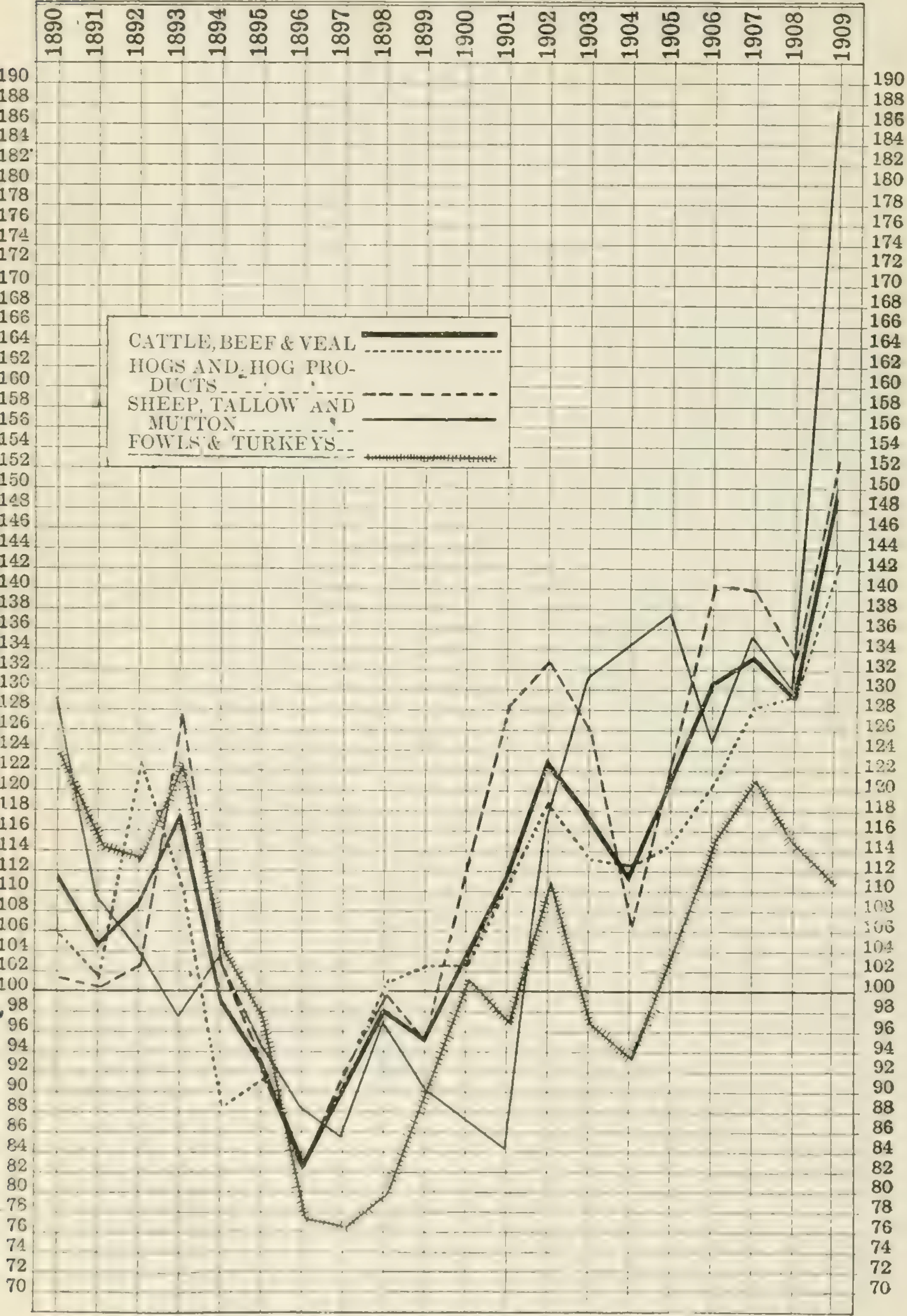


1 GEORGE V., A. 1911

CHART SHOWING RELATIVE PRICES OF ANIMALS AND MEATS, 1890-1909.

Commo ities included: (1) Cattle, Western; Cattle, Ontario; Beef, Toronto; and Veal, Toronto; (2) Hogs, live at Toronto; Hogs, dressed; Salt Pork; and Lard; (3) Sheep, export ewes; Tallow; and Mutton dressed; (4) Fowls; and Turkeys.

(Average Price 1890-1899=100)



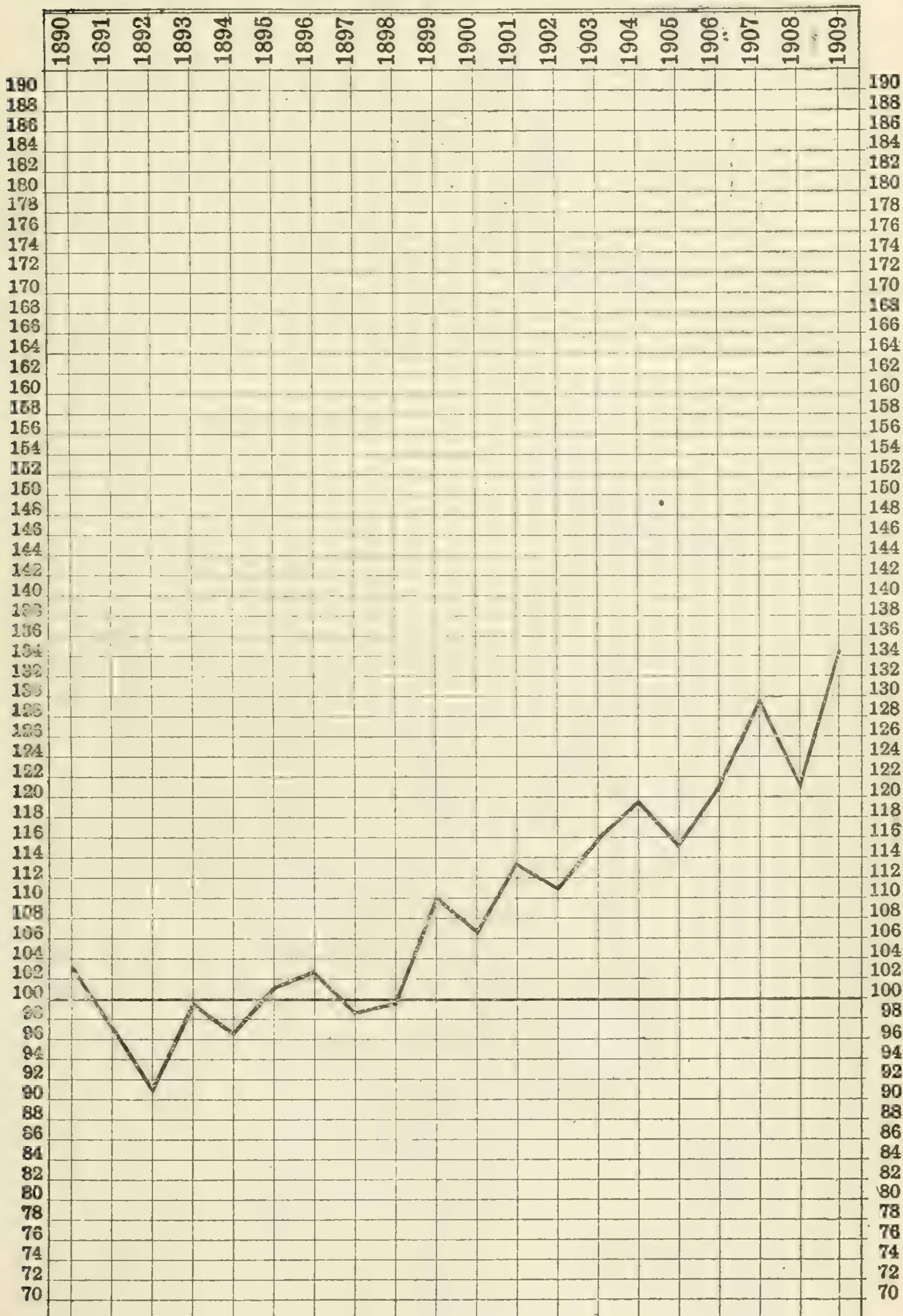


## SESSIONAL PAPER No. 36.

## CHART SHOWING RELATIVE PRICES OF FISH, 1890-1909.

Commodities included: Codfish, dry; Haddock, dry; Halibut, fresh; Herring, salted; Lobsters, canned; Mackerel, salted; Salmon, B.C. canned; Salmon Trout, fresh; Whitefish, fresh.

(Average Price 1890-1909=100)

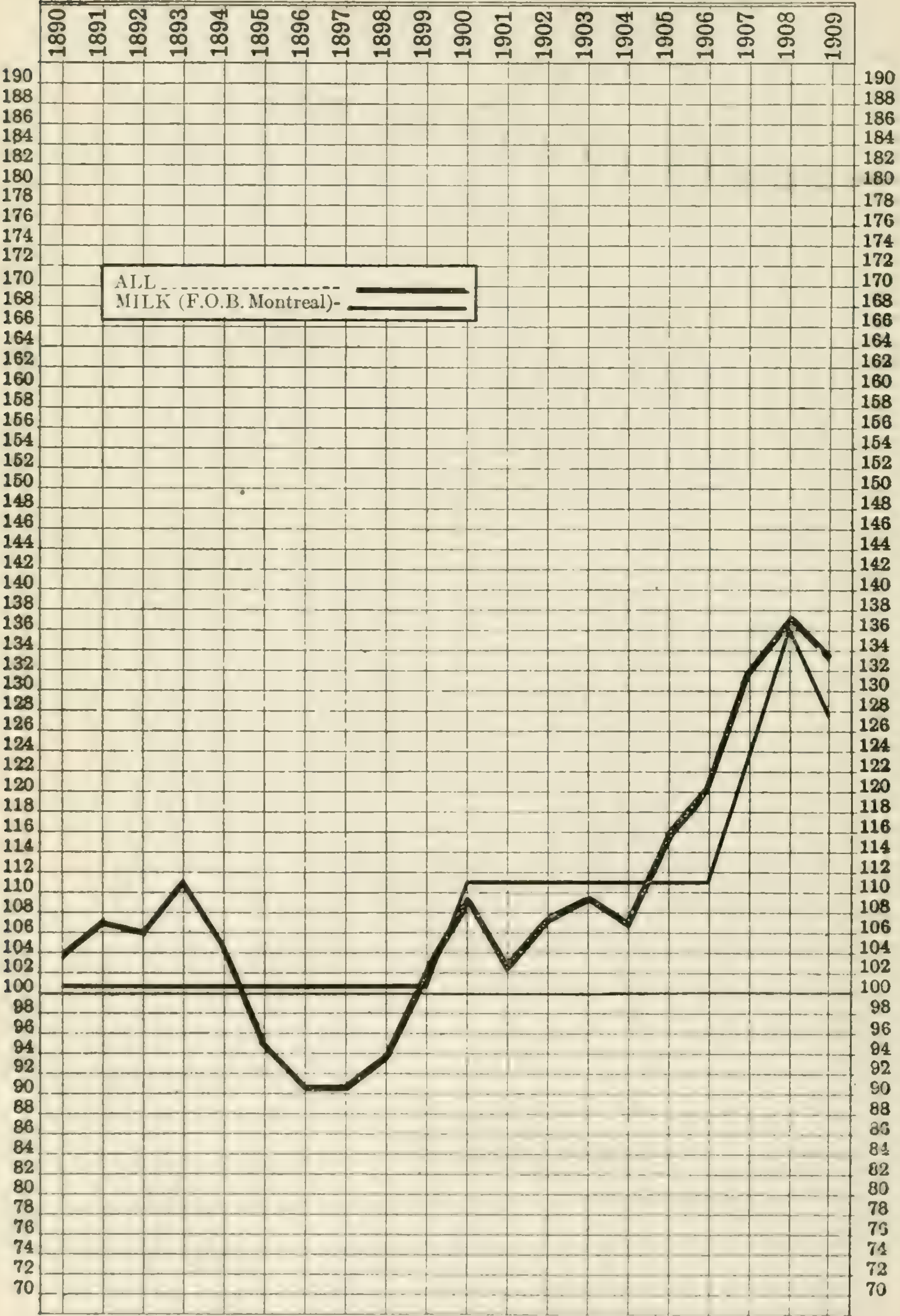




1 GEORGE V., A. 1911

CHART SHOWING RELATIVE PRICES OF DAIRY PRODUCE, 1890-1909.

Commodities included: Butter, Creamery; Butter, Dairy; Cheese, Western Coloured; Milk (f.o.b. Montreal); and Eggs.  
(Average Price 1890-1899=100)



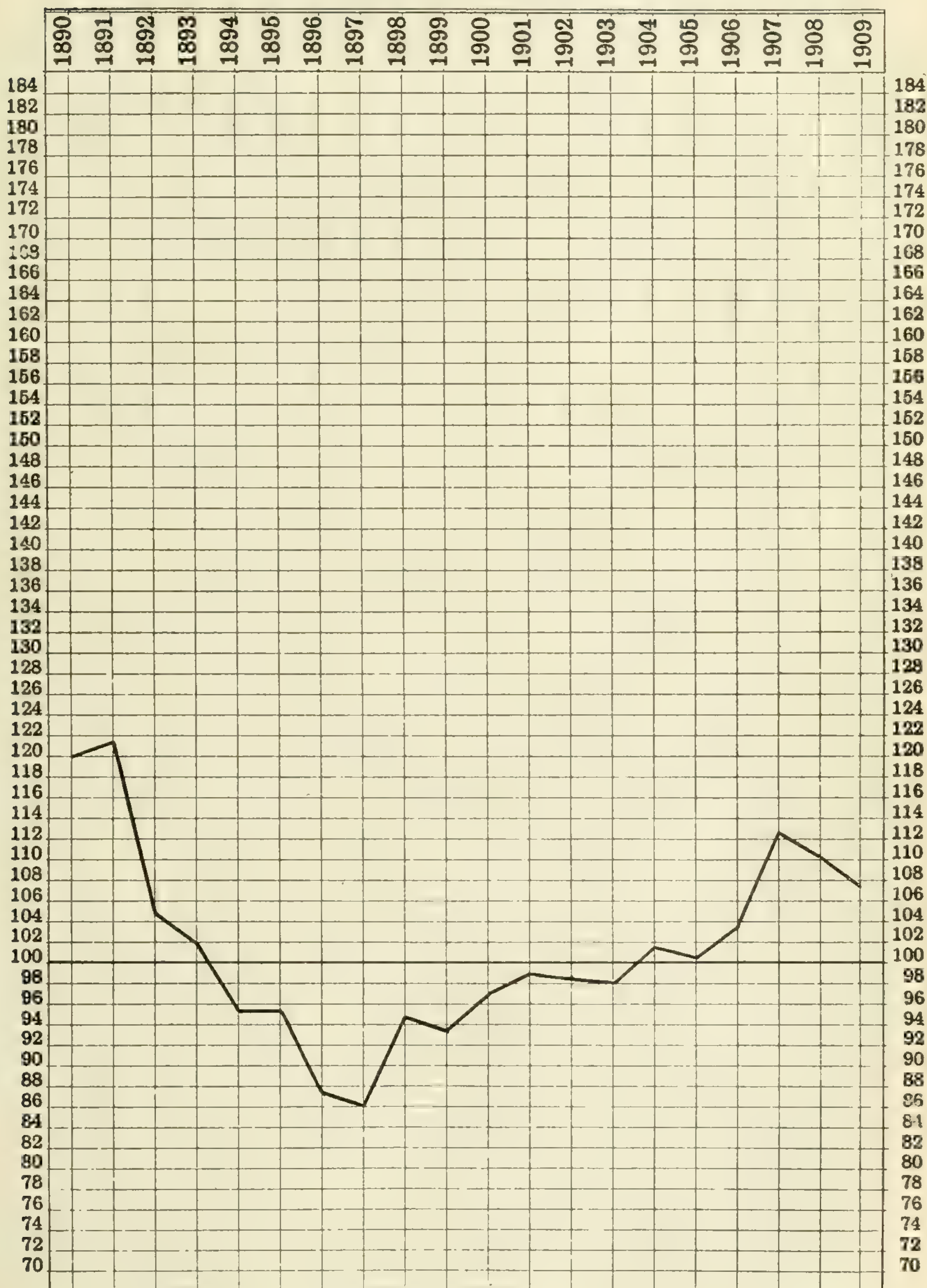


## SESSIONAL PAPER No. 36.

CHART SHOWING RELATIVE PRICES OF OTHER FOODS -GROCERIES, FRUITS AND VEGETABLES,  
1890-1909.

Commodities included: (1) Groceries: Beans, Biscuits, Chocolate, Coffee, Cream of Tartar, Flour, Honey, Maple Sugar, Molasses, Oatmeal, Pepper, Rice, Salt, Soda, Sugar, Tapioca, Tea and Vinegar; (2) Fresh Fruits: Apples, Bananas, Grapes, Peaches, Pears and Plums; (3) Dried Fruits: Apples, Currants, and Raisins; (4) Fresh Vegetables: Potatoes and Turnips; (5) Canned Vegetables: Corn, Peas, and Tomatoes.

(Average Price 1890-1899=100)



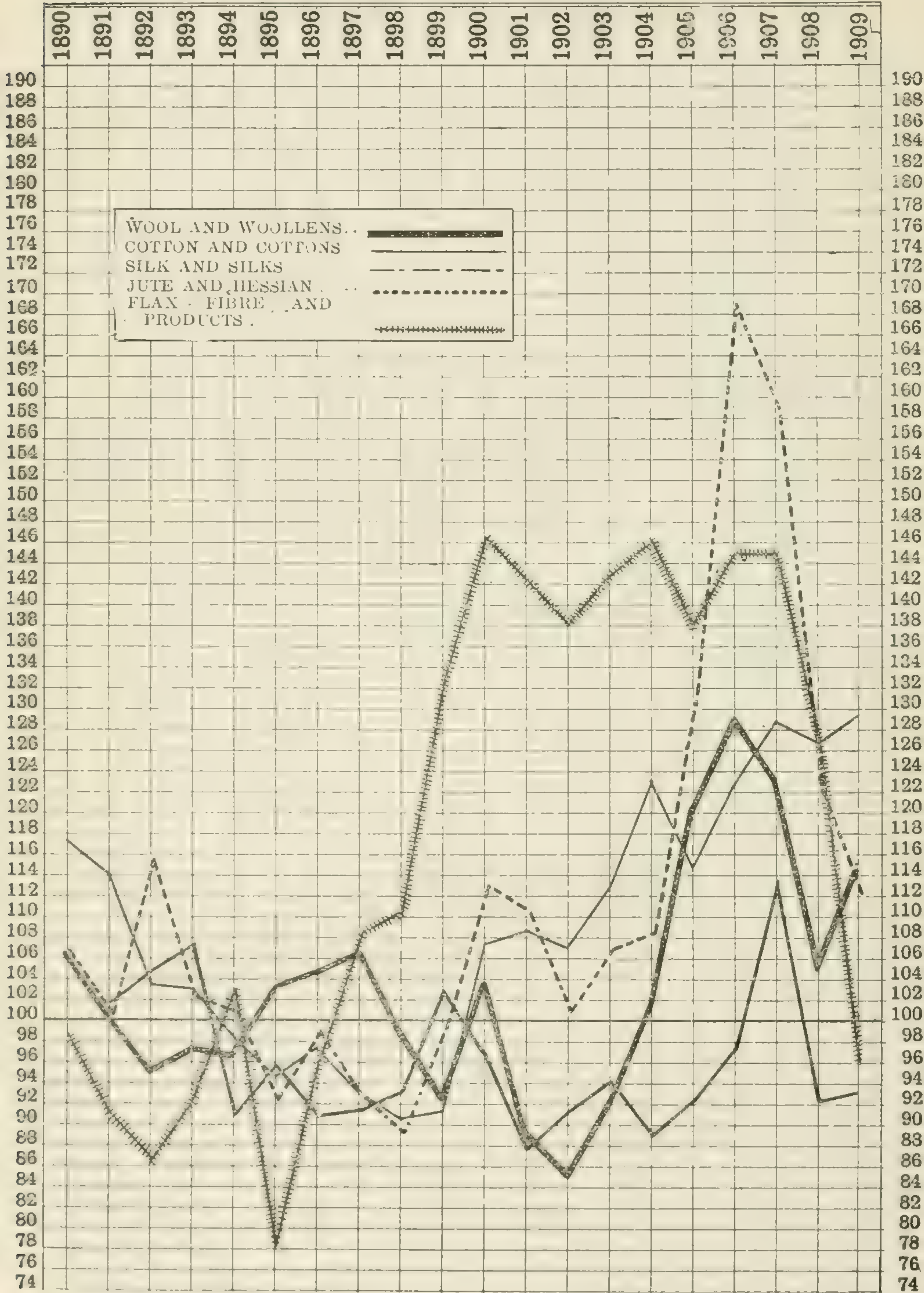


1 GEORGE V., A. 1911

CHART SHOWING RELATIVE PRICES OF TEXTILES, BY GROUPS, 1890-1909.

Commodities included: Wool and Woollens; Wool, Ontario, washed and unwashed; Canadian Worsted Yarn; Knitted Underwear; Beaver Cloth; Cotton and Cottons: Raw Cotton Upland Middling; Grey Cottons; Woven Coloured Fabrics; Prints; Flax products: Tow, coarse and fine; Flax fibre; Sewing flax; Jute: Jute, first marks; Hessian, 10 1-2 oz., 40 in.; Silk and Silks: Silk, Raw, Japan and Italian; Spool Silk; Machine twist.

(Average Price 1890-1899=100)

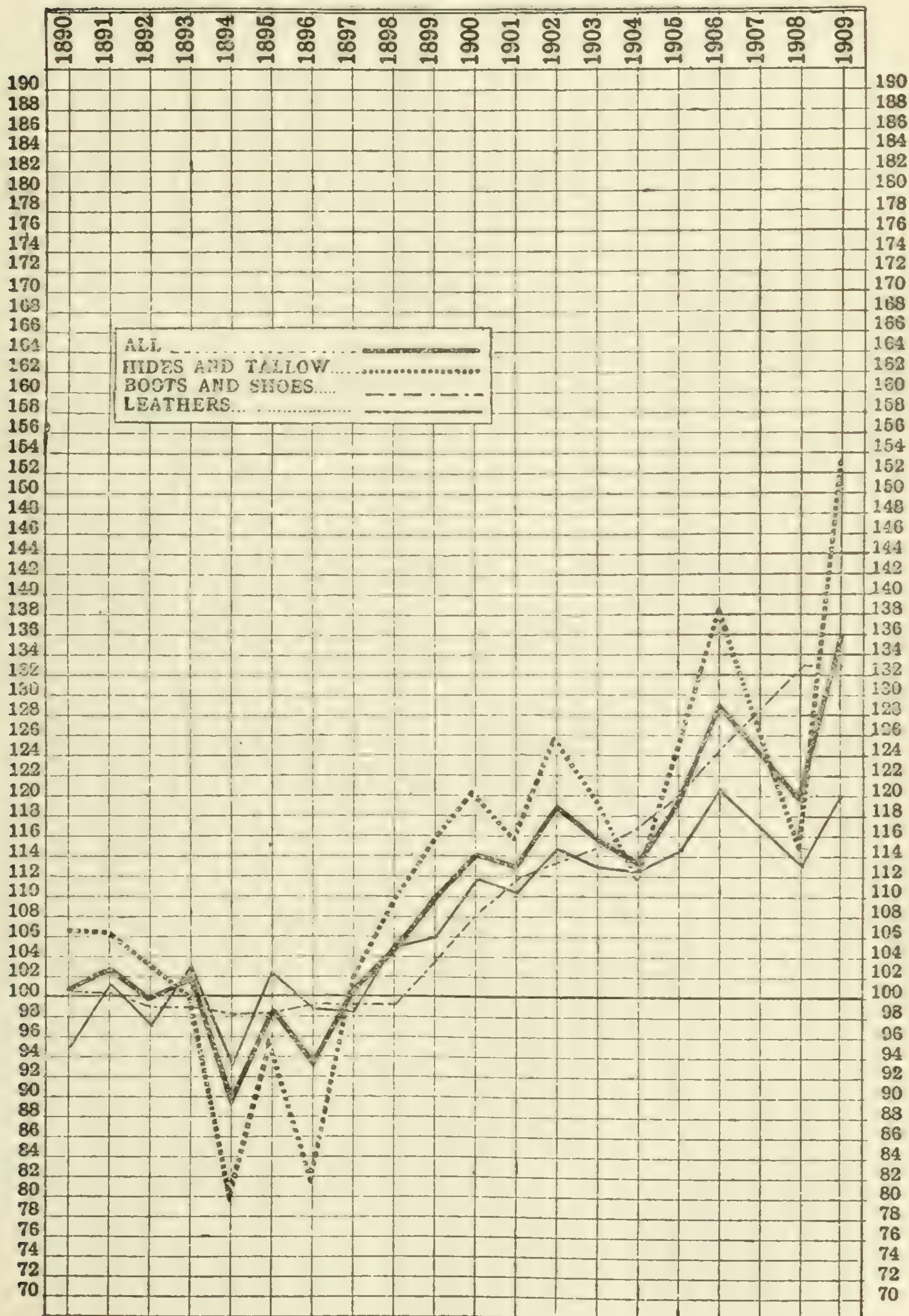




## SESSIONAL PAPER No. 36.

CHART SHOWING RELATIVE PRICES OF HIDES, TALLOW, LEATHERS, AND BOOTS AND SHOES.  
1890-1909.

Commodities included: Hides and Tallow: Hides, No. 1 Steers and Cows; Calfskins, green, No. 1; Horsehides; Tallow, rendered, No. 1 stock; Leathers: Leather, No. 1 Spanish Sole; Leather, No. 1 Slaughter Sole, heavy; Leather, Harness, No. 1, N. O.; Leather, heavy upper; Boots and Shoes: Men's Split Blucher Bals, pegged; Men's Box Calf Blucher Bals, G. W.; and Women's Dongala Blucher Bals, F. S.  
(Average Price 1890-1899=100)



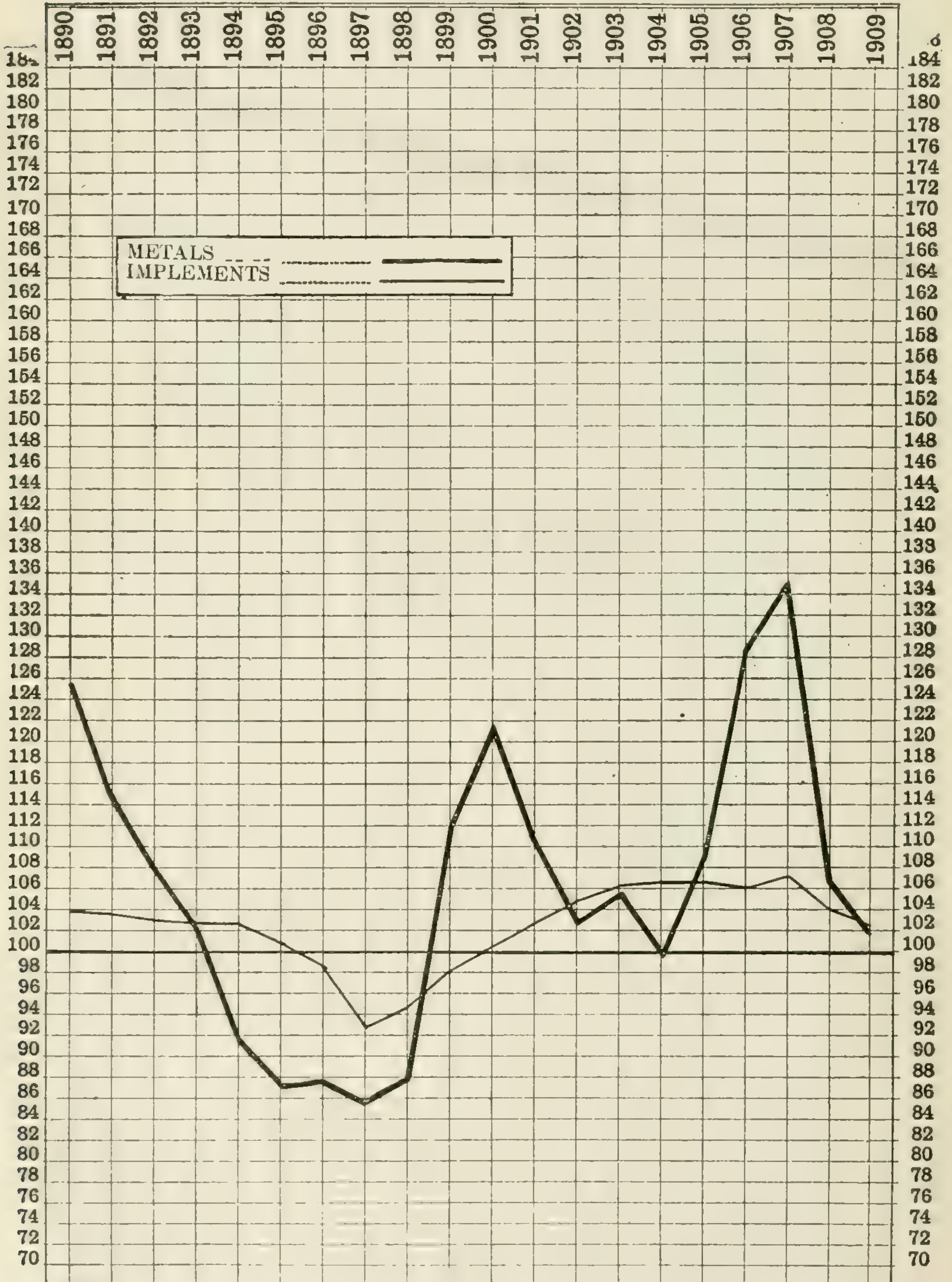


1 GEORGE V., A. 1911

CHART SHOWING RELATIVE PRICES OF METALS AND IMPLEMENTS, 1890-1909.

Commodities included: Metals, Antimony, Brass, Copper, Pig Iron, Summerlee; Pig Iron, N.S.; Iron, Common Bar; Iron, Black Sheets; Iron, Galvanized Sheets; Iron, Tinsplates; Iron, Boilerplates; Lead; Silver; Solder; Spelter; Steel Billets; Tin; and Zinc Sheets. Implements: Axes; Anvils; Grindstones; Hammers; Horseshoes; Mallets; Picks; Wood Screws; Soldering Irons; and Vises.

(Average Price 1890-1899=100)



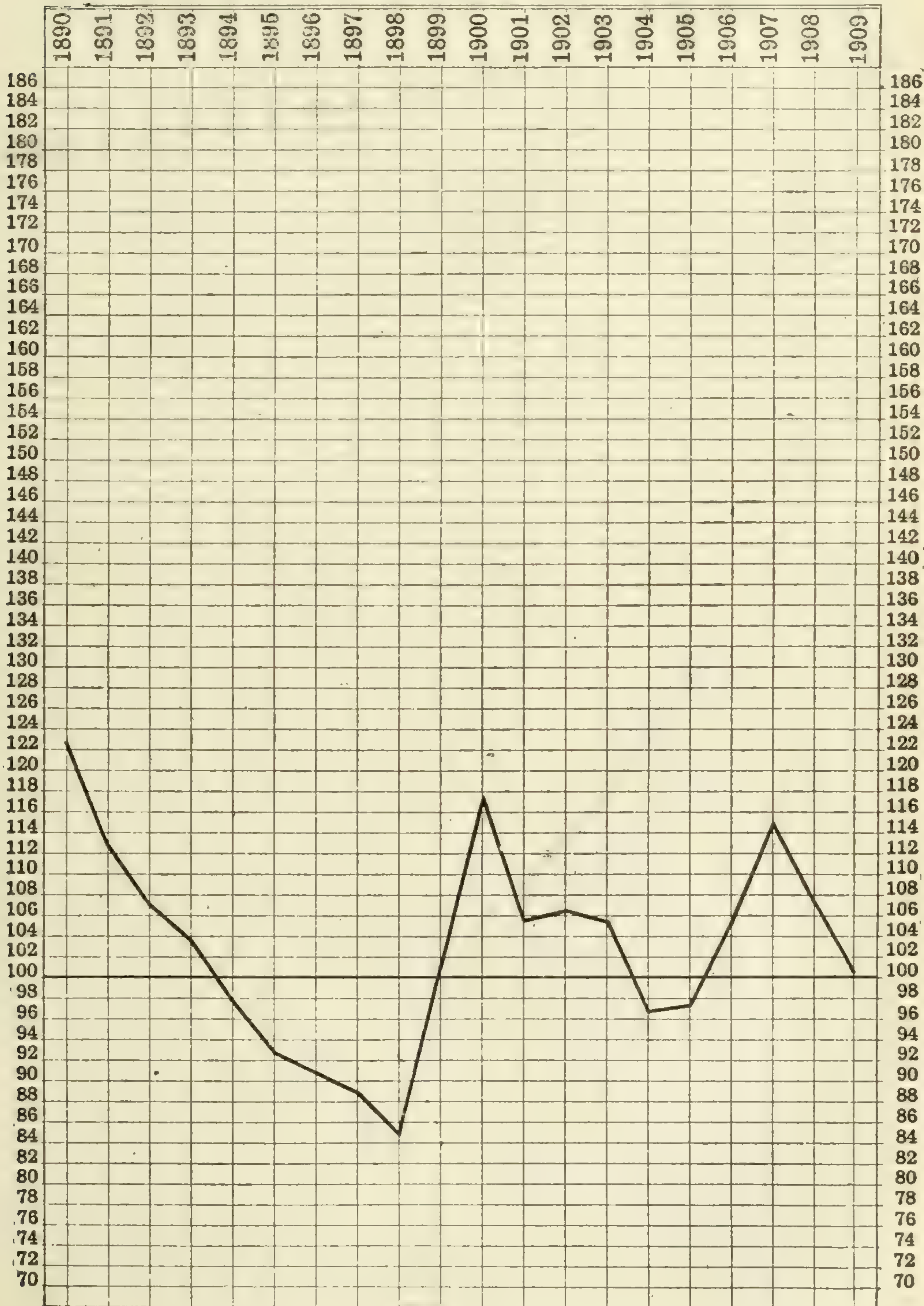


## SESSIONAL PAPER No. 36.

## CHART SHOWING RELATIVE PRICES OF IRON AND STEEL, 1890-1909.

Commodities included: Pig Iron, Summerlee, No. 2; Pig Iron, No. 1 Foundry, N.S.; Iron, Common Bar; Iron, Black Sheets; Iron, Galvanized Sheets; Iron, Tinsplates, Charcoal; Iron, Tinsplates, Coke, Bessemer; Iron, Canada Plates, ordinary; Iron, Boilerplates; and Steel Billets, N.S.

Average Price 1890-1899=100)

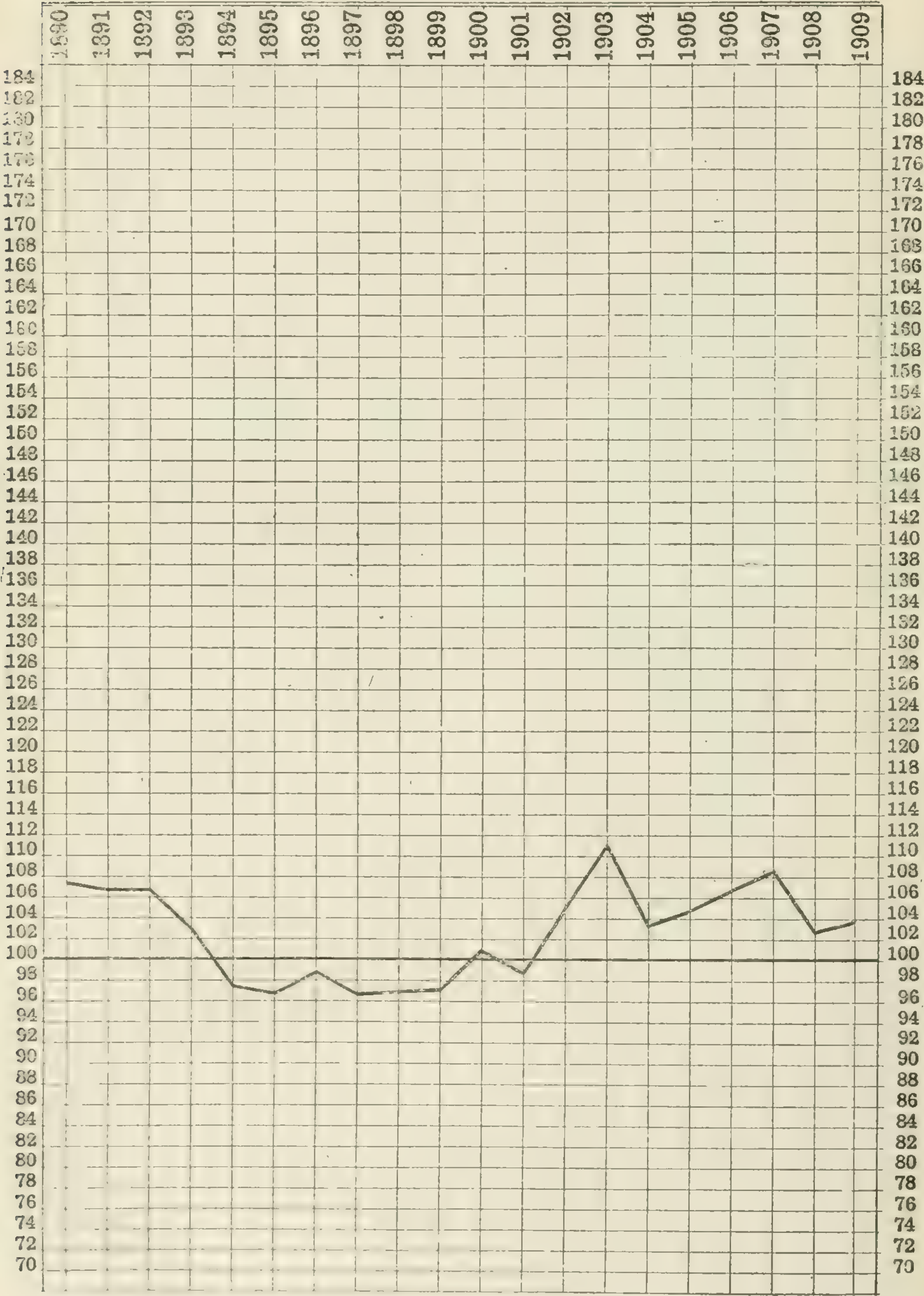




1 GEORGE V., A. 1911

CHART SHOWING RELATIVE PRICES OF FUEL AND LIGHTING, 1890-1909

Commodities included: Coal, Bituminous, N. S. run of mines; Coal, Bituminous, Crow's Nest Pass; Coal, Penna. Anthracite; Coke, Connellsville, Furnace; Coke, Crow's Nest Pass; Coal Oil, Canadian Standard water white; Calcium Carbide; and Matches, Eddy's Telegraph.  
(Average Price 1890-1899=100)





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CHART SHOWING RELATIVE PRICES OF LUMBER, 1890-1909.

Commodities included: Pine, Ottawa, good sidings, shipping culls, and box boards; Pine, Ottawa, average cut, all grades; Pine, Georgian Bay, No. 1 cuts; Pine Laths; Hemlock; N.B. Spruce; N.B. Shingles; Birch; Maple soft; and Red Oak.  
(Average Prices 1890-1899=100)

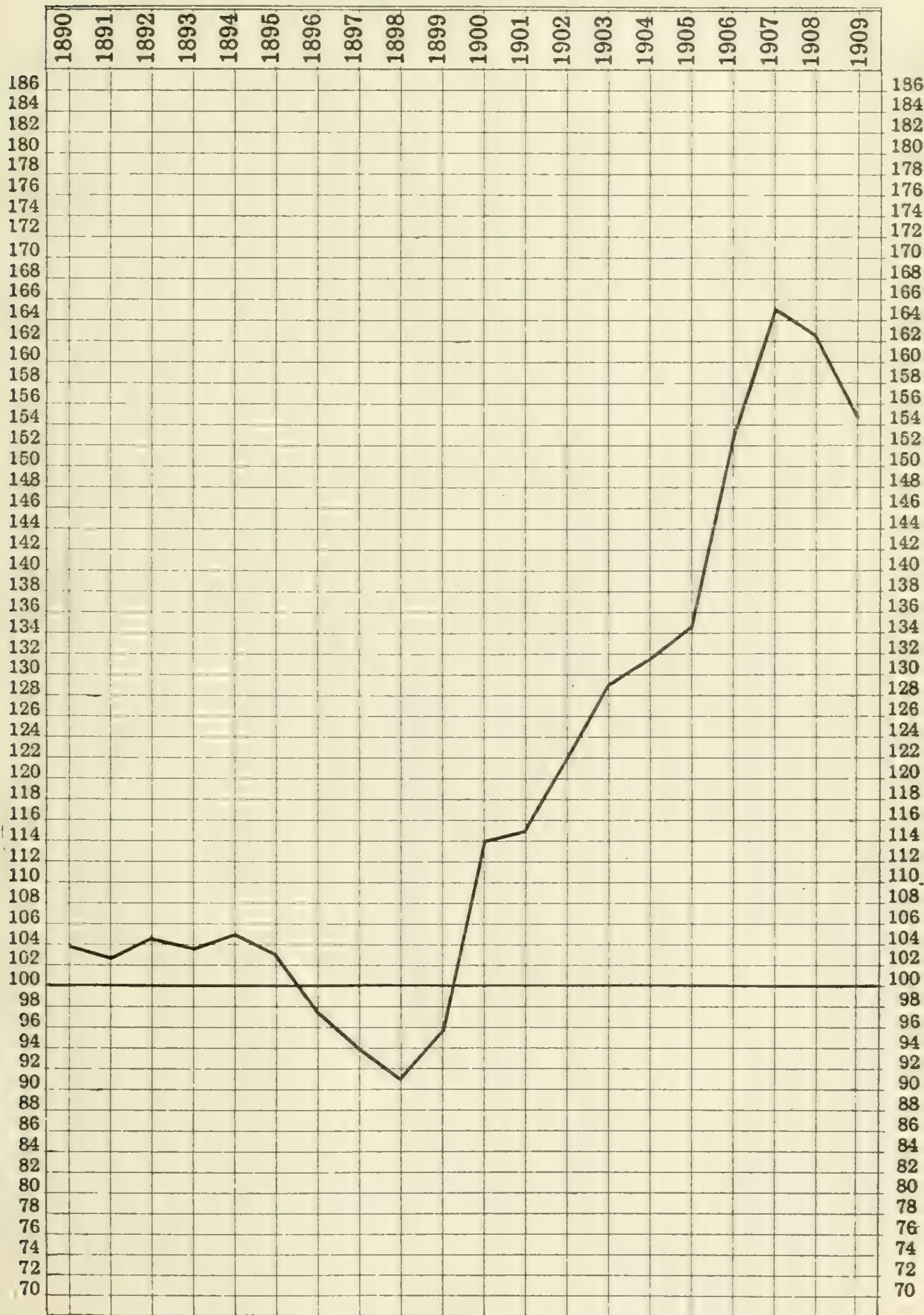
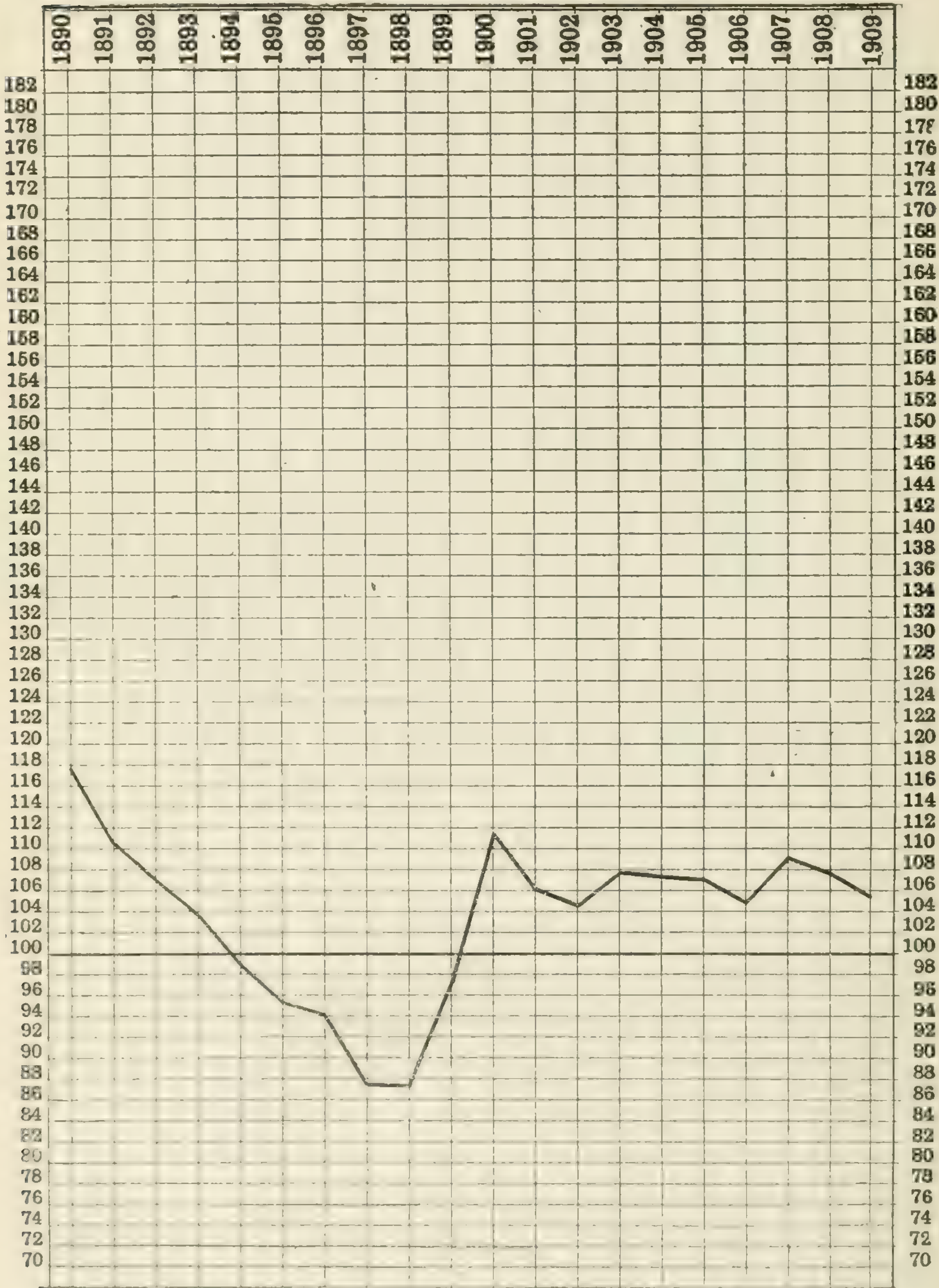




CHART SHOWING RELATIVE PRICES OF MISCELLANEOUS BUILDING MATERIALS, 1890-1909.  
Commodities included: Bricks, common building; Bricks, fire; Cement, Canadian Portland; Hinges, heavy; Lime, high calcite; Nails, cut; Nails, wire; Plaster of Paris; Pitch, roofing; Sash Weights; Soil Pipe, 4 in. medium; Tar, Crude coal; Wire Cloth; and Wire Fencing.  
(Average Price 1890-1899 = 100)

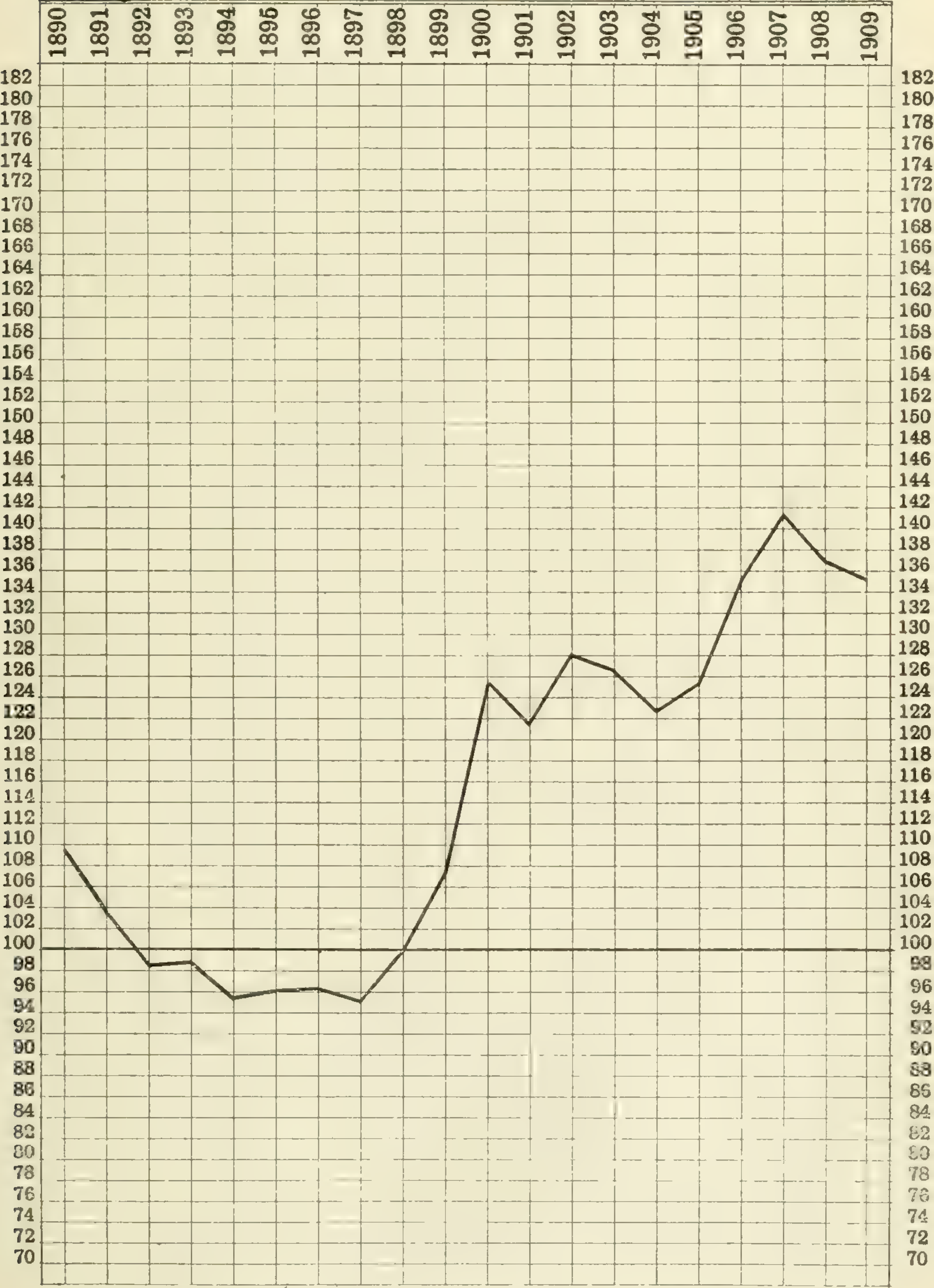




SESSIONAL PAPER No. 36.

CHART SHOWING RELATIVE PRICES OF PAINTS, OIL AND GLASS, 1890-1909.

Commodities included: Benzine, Canadian; Glue, Domestic broken sheet; Linseed Oil, raw and boiled; Paris Green, English and Canadian; Prepared Paints, 1st quality, pure; Putty; Rosin, white; Shellac, pure orange; Turpentine; Varnish, No. 1 Furniture; Venetian Red, dry colour; White Lead, pure, ground in oil; Window Glass, "Star", first break.  
(Average Price 1890-1899=100)

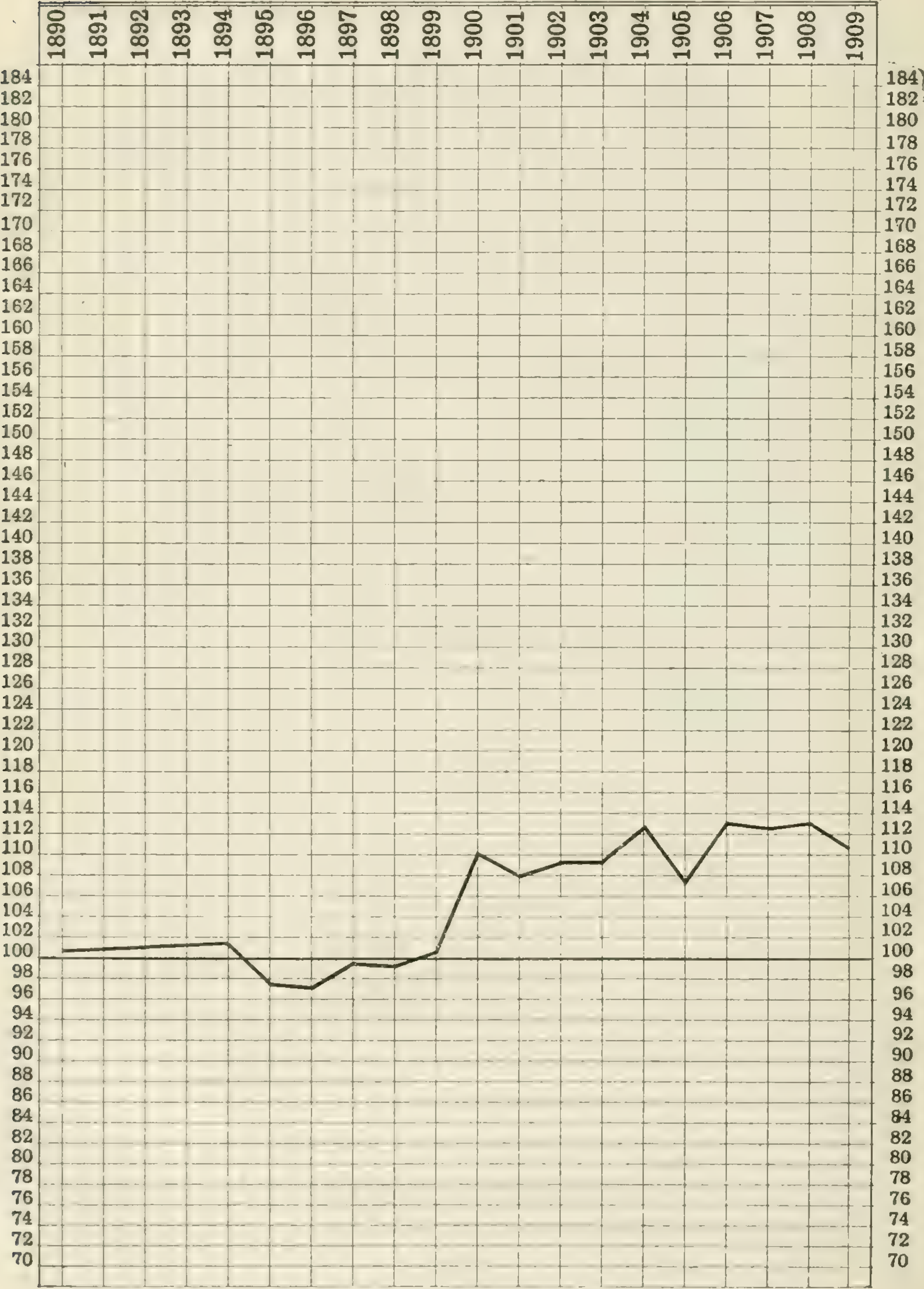




1 GEORGE V., A. 1911

CHART SHOWING RELATIVE PRICES OF HOUSE FURNISHINGS, 1890-1909.

Commodities included: (1) Furniture: Kitchen Chairs; Kitchen Tables; Dining Tables; Sideboards; Bed-room Suits; and Iron Beds; (2) Crockery and Glassware: Glass Tumblers; White Cups and Saucers; Printed Dinner Sets; and Printed Toilet Sets; (3) Table Knives, Silver-plated Knives and Forks; and (4) Kitchen Furnishings; Pails; Tubs, and Brooms.  
(Average Price 1890-1899=100)



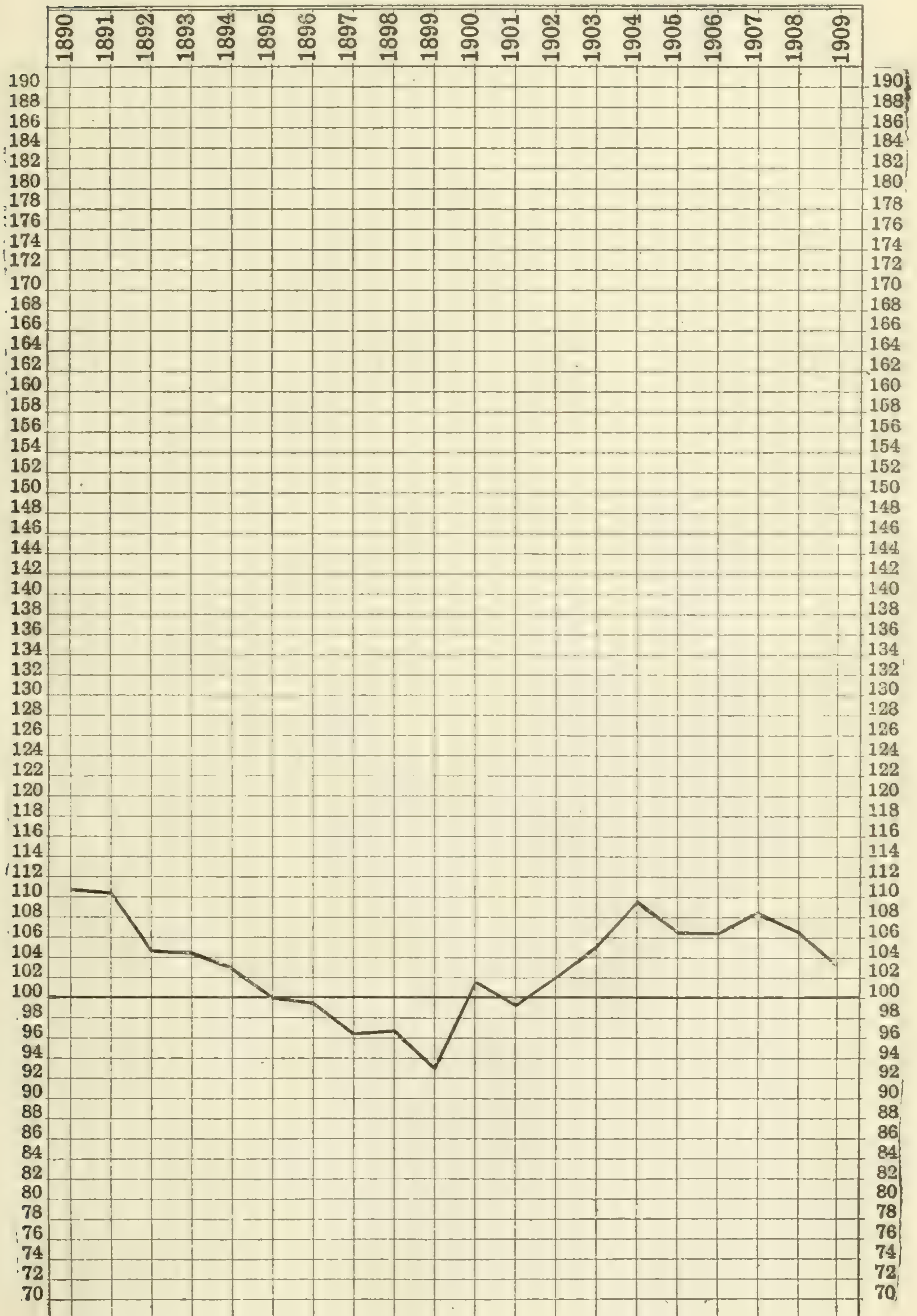


## SESSIONAL PAPER No. 36.

## CHART SHOWING RELATIVE PRICES OF DRUGS AND CHEMICALS, 1890-1909.

Commodities included: Alcohol; Wood Alcohol; Alum; Bleaching Powder; Borax; Brimstone; Carbolic Acid; Caustic Soda; Copperas; Glycerine; Indigo; Muriatic Acid; Opium; Quinine; Soda Ash; Sulphuric Acid.

(Average Price 1890-1899 = 100)





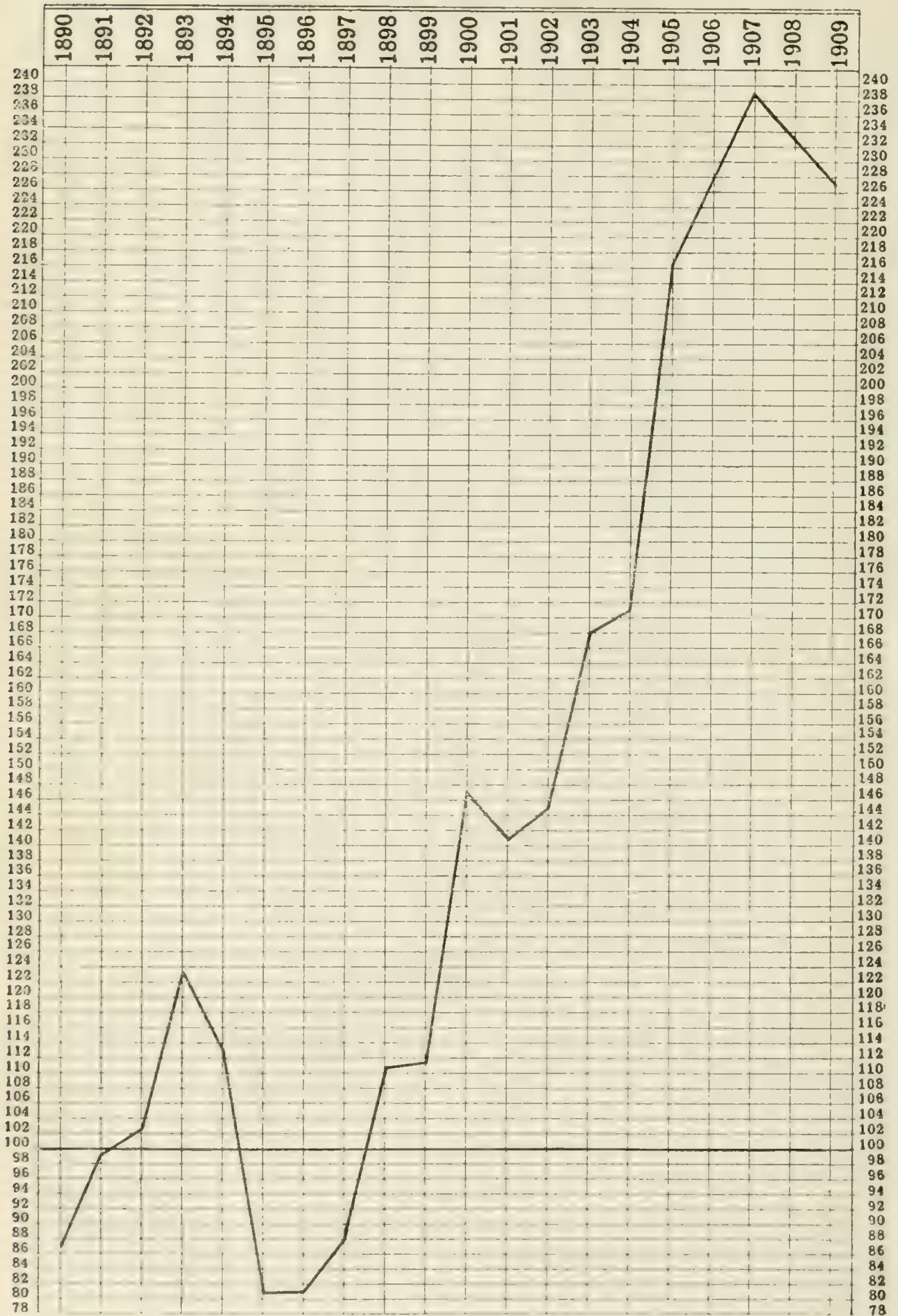
## DEPARTMENT OF LABOUR

1 GEORGE V., A. 1911

## CHART SHOWING RELATIVE PRICES OF FURS, 1890-1909.

Commodities included: Mink; Muskrat; Raccoon; and Skunk.

(Average Price 1890-1899=100)





VI.—SPECIAL INQUIRIES.—(1) INDUSTRIAL CONDITIONS IN COAL FIELDS OF NOVA SCOTIA. (2) STRIKE OF FREIGHT HANDLERS AT FORT WILLIAM. (3) RATES OF WAGES PAID WORKMEN ON A SECTION OF THE GRAND TRUNK PACIFIC RAILWAY UNDER CONSTRUCTION IN BRITISH COLUMBIA. (4) A DISPUTE AMONG THE FISHING POPULATION OF THE PENINSULA OF GASPE.

Apart from the Cost of Living inquiry, which is treated in a separate chapter in this volume, there were four investigations conducted by the Department during the year, of more than ordinary importance, and demanding special mention. They were respectively, as follows:—

1. An inquiry into industrial conditions in the coal fields of Nova Scotia, conducted by the Deputy Minister.

2. An inquiry into the circumstances attending the strike of freight handlers at Fort William, in August, conducted by the Deputy Minister.

3. An inquiry into the rates of wages paid to workmen on a section of the Grand Trunk Pacific Railway under construction in British Columbia, conducted by Mr. J. D. McNiven, one of the Fair Wages officers of the Department.

4. An inquiry into a dispute among the fishing population of the peninsula of Gaspé, conducted by Mr. V. Du Breuil, one of the Fair Wages officers of the Department.

Abstracts of the several reports presented to the Minister in these matters are printed in the following pages.

**1.—Report of the Deputy Minister of Labour on Industrial Conditions in the Coal Fields of Nova Scotia.**

On August 30, 1909, Mr. F. A. Acland, the Deputy Minister of Labour, left Ottawa, under the Minister's direction, for the purpose of conducting an inquiry into the conditions of the coal mining industry of the Province of Nova Scotia, with special reference to the differences between the operators of the different collieries and their employees. Mr. Acland returned on September 19, having in the meantime, as his report sets out, visited every important centre of the coal mining industry in Nova Scotia, and having discussed the situation generally with the managers of all the leading collieries, with the leading representatives of the workmen affected and with prominent citizens in the cities and towns most closely interested. The report of the Deputy Minister, which constituted a review of current conditions in this important industrial field, was prepared under date of September 25, and was presented by the Minister to Parliament in the closing week of November.



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The report opens with a brief statistical survey of the coal mining industry of Nova Scotia. The following table from the report shows the producing coal mines of the Province, and the production and number of workmen employed at each mine, for the year ended September, 1908.

Company.	County.	Production.	No. of Employees.
Dominion Coal Company.....	Cape Breton	3,816,958	5,486
Nova Scotia Steel & Coal Company.....	"	662,350	1,792
Cumberland Railway & Coal Company.....	Cumberland	416,132	1,726
Acadia Coal Company.....	Pictou.....	413,782	1,090
Intercolonial Coal Company.....	"	315,590	937
Maritime Coal Railway & Power Company, Chignecto.....	Cumberland	15,839	165
Maritime Coal Railway & Power Company, Joggins.....	"	51,130½	149
Inverness Railway & Coal Company.....	Inverness	283,704½	568
Port Hood Coal Company.....	"	99,700	216
Other Companies.....	Various.....	226,096	804
Total.....		6,301,282	12,933

Of the total revenue of the provincial Government, in the year ended September 30, 1908, of \$1,783,647, the amount received from the coal royalty was \$616,933, or considerably over one-third. The coal supplies of Canada being found only at points in the extreme east and west respectively, the United States product finds a safe market in the middle provinces of Canada, while it is able to compete also with the Nova Scotia product, as the latter reaches the limit of its Canadian market. The Nova Scotia operator finds, however, some compensation in New England for the loss of his domestic market.

During the year ended September 30, 1908, the coal of Nova Scotia was marketed as follows:—

	TONS.
In Nova Scotia.....	1,950,631¾
" New Brunswick.....	510,331½
" Quebec .....	2,047,638½
" United States .....	499,634¼
Elsewhere. ....	477,353¾
Total, 5,485,588¾	

It will be seen that Quebec, or the competitive portion of the domestic coal market, consumes about one-third of the Nova Scotia product, while the Nova Scotia coal exported to the United States is less than 10 per cent of the product, and, for the year named, was less than half a million tons. The United States product, on the other hand, was marketed in Canada during the year ended June 30, 1909, to the extent of 11,711,961 tons, of which 6,710,933 tons represented bituminous coal, and 1,139,233 tons bituminous slack or dust, the remainder being anthracite and coke. The Canadian duty on bituminous coal is 63 cents per ton, and on bituminous dust or slack and on charcoal, 14 cents per ton.



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There is no duty imposed by Canada on anthracite or coke. The United States duty on coal for many years prior to 1894 was 75 cents a ton under which the export from Nova Scotia, after fluctuating violently between 254,750 tons in 1873, and one-half, one-third and one-fourth that figure in the few succeeding years, was almost wiped out in 1892 and 1893, when the amount sent to the United States was, respectively, 13, 833 tons and 16,099 tons. In 1894 the duty was made 40 cents, and so remained for three years, during which there was a marked increase in export. In 1897 the United States tariff imposed a duty of 67 cents on coal, and this remained unchanged until 1909, when a reduction was made to 45 cents.

In 1908, the coal production of the Province of Alberta was 1,845,904 short tons, an increase of 153 per cent over 1904, of British Columbia, 2,362,000 tons, an increase of 26.8 per cent; and of Nova Scotia, 6,540,000 tons, an increase of 16.8 per cent.

## FRICTION BETWEEN RIVAL LABOUR ORGANIZATIONS.

It was understood when the Deputy Minister's inquiry was instituted that the then-existing difficulties in the labour situation in the coal mines of Nova Scotia arose mainly from the struggle between two rival labour organizations over the enrolment of the employees and the question of recognition by the employing companies. The organizations referred to were the Provincial Workmen's Association, an incorporated body, and the United Mine Workers of America, an unincorporated body having its membership chiefly in the United States, where also are situated its headquarters.

The Provincial Workmen's Association of Nova Scotia and New Brunswick was organized in the year 1878, and from that date until the beginning of the present dissension was practically the only trade union known among the miners of the Province. It is controlled by a grand council and its chief office is the Grand Secretaryship, which has been held for the last eleven years by Mr. John Moffatt of Dominion, C.B. The operating companies, in most cases, give formal recognition to the different unions of the Provincial Workmen's Association, and accept a committee representing the union as entitled to speak on behalf of the employees, and frequently to make agreement with such bodies. In addition, several of the employing companies have made it a practice to collect the dues of the Provincial Workmen's Association by deduction, on written authorization, from the wages of the employees. The effect of this system is to make the employer a party to building up the union, to prevent delinquencies among the employees and generally to keep the organization compact. Coal mining companies were specially empowered under the Nova Scotia law to make these collections, though not all companies have assumed the responsibility.

The United Mine Workers of America is an unincorporated body comprising the majority, probably, of the workers in the bituminous and anthracite mines of the United States. By many of the bituminous operators in the United States this organization has received a recognition similar to that granted the Provincial Workmen's Association by the Canadian operators; in the case of the anthracite operators, however, such recognition has been definitely refused. With a membership of between three and four hundred thousand, the order is governed by an



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executive board, termed "international," whose business is conducted from Indianapolis, Ind. The various local unions are grouped into districts, each of which is entitled to a representative on the executive. The president of the United Mine Workers of America, at the time of the Nova Scotia strikes, was Mr. T. L. Lewis, of Bridgeport, Ohio.

Within a year or two before the time of the Deputy Minister's inquiry the United Mine Workers of America began to organize local unions in Nova Scotia, the membership of which was necessarily taken largely from the Provincial Workmen's Association, and it was from this movement that there developed the friction existing at the time of this inquiry among those concerned in the industry.

At the time of the present inquiry, the United Mine Workers' organization claimed ten local unions in the Glace Bay district of Cape Breton, for the thirteen mines controlled by the Dominion Coal Company, besides one at Morien, two at Sydney Mines, one at Port Hood, all in Cape Breton; one at Westville, Pictou County; one at Springhill, one at Chignecto and one at Joggins, all in Cumberland County. These local unions were of varying size, and may occasionally have had no more than a nominal existence.

#### SITUATION OBTAINING AT TIME OF INQUIRY.

The Deputy Minister, at this point in his report, set forth concisely the situation at the various coal mining properties in Nova Scotia, with reference to the footing of the two workmen's organizations above referred to, and the relations of the same with the operators. The report shows that there were three coal mining strikes in progress at this time, namely at Glace Bay, Inverness and Springhill, all of them arising out of the struggle between the rival unions. The strikes at Glace Bay and Springhill took place after the disputes to which they had reference had been investigated by Boards of Conciliation and Investigation, under the Industrial Disputes Investigation Act. The strike at Inverness took place without any reference to a Board under the Industrial Disputes Investigation Act, and would appear, therefore, to have been directly opposed to the spirit and terms of this Act.

At Glace Bay, at the time of this inquiry, the strike appeared to be practically broken, though the production was still below normal, and many employees were receiving relief. At Inverness, where the proportions were smaller, the strike was at the time of this inquiry, yet more definitely broken, although there was still a considerable number of men on the United Mine Workers of America relief lists. In both Glace Bay and Inverness, military protection had been invoked, and was still considered necessary at the time of this inquiry. At Springhill, no attempt had been made up to the time of this inquiry to work the mine, and operations were apparently at a standstill for an indefinite period, with a promise of the worst results to the industry and community concerned.

The first activity of the United Mine Workers of America in Nova Scotia dated back to 1906, when a representative of that Association, Mr. Peter Patterson, obtained permission to address the Council of the Provincial Workmen's Association, at Halifax, on the benefits of affiliation with that order. After his address, sympathizers with the other Association began gradually to appear in the lodges of the Provincial Workmen's Association, and in May, 1908, at a meeting of the



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Grand Council of the Provincial Workmen's Association, at Halifax, a vote was ordered to be taken on the question of affiliation or amalgamation with the United Mine Workers of America. By about 2,800 to 2,400, the referendum vote was in favour of amalgamation, but at the following annual meeting of the Grand Council the action taken at the May meeting was decided illegal, "the delegates having received no instructions from their lodges to bring about the referendum vote."

The movement towards the union appears to have been independent of any agitation from the United States, save in so far as this may be supposed to have been rendered by Mr. Patterson, an international officer, but a British subject, and a Canadian by long residence. Springhill appears to have been one of the first places definitely to organize a United Mine Workers of America lodge, and took the step in December, 1908, other places rapidly following its example.

## THE STRIKE AT GLACE BAY.

The rupture between the Dominion Coal Company and a number of its employees was the most important of all the developments from the struggle between the unions, because of the number of men directly concerned and the large industrial interests involved; also it was generally conceded that the result elsewhere in Nova Scotia, with the possible exception of Springhill, would depend upon the outcome at Glace Bay.

In March, 1908, an agreement between the Dominion Coal Company and its employees was effected through the efforts of a Board established under the Industrial Disputes Investigation Act, which was effective until December, 1909. In the spring of 1909, however, on the application of certain of the employees, a new Board of Conciliation and Investigation was established to investigate various grievances alleging discrimination against them as members of the United Mine Workers of America, of which body they had become members, also alleging an unwillingness on the part of the Company to receive the committee of the United Mine Workers of America, or otherwise to recognize it.

The Board to which the dispute was referred was composed of Judge Wallace, of Halifax, chairman; Mr. G. S. Campbell, a leading citizen of Halifax; and Mr. D. McDougall, President of the District Union of the United Mine Workers of America. The Board found that there had been no improper discrimination, and defended the Company in giving preference in the matter of employment, under certain circumstances, to members of the Provincial Workmen's Association, the Company having definitely refused to recognize the United Mine Workers of America. On the general question of recognition the Board found against the men on the ground that safety to the mutual interests of the Company and its employees lay in refusing recognition to an organization controlled by foreign officials, sitting at Indianapolis. The report was signed by Judge Wallace and Mr. Campbell.

A minority report was submitted by Mr. McDougall, member of the Board nominated by the men, in which Mr. McDougall took the ground that there had been violent discrimination shown against members of the United Mine Workers of America.

The danger of an impending strike was freely discussed in the press during the next few weeks. About the end of May, Mr. T. L. Lewis, President of the United



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Mine Workers of America, visited the mining districts of Nova Scotia. On Tuesday, July 6, a strike was called in the mines of the Dominion Coal Company. The number of men actually engaged at the mines immediately prior to the strike was 5,280, and the production on the Saturday preceding the strike was returned by the Company at 11,085 tons, and on the following Monday, 9,051 tons. On Tuesday, the day of the strike, the output fell to 5,609 tons, and was still further reduced in the days immediately succeeding, the production for Wednesday, July 7, being down to 3,671 tons, and for Thursday, July 8, 3,014 tons. This was the lowest point reached. The members of the Provincial Workmen's Association remained at work and their numbers were steadily increased by accessions from the ranks of the strikers and by labour brought by the Company from other points. On Wednesday, July 7, the result of disturbances at collieries Nos. 2 and 3, an appeal was made by the Company for military protection, and a formal order granted by Judge Finlayson resulted in 500 men of the Royal Canadian Artillery and Royal Canadian Regiment under command of General Drury, being sent to Glace Bay, on the following day.

#### ATTITUDE OF DEPARTMENT OF LABOUR.

As defining the attitude of the Department of Labour with regard to the strike, the following official statement was made public on July 13, by direction of the Minister of Labour:—

“The dispute at Glace Bay between certain of the employees of the Dominion Coal Company, members of a local union of the United Mine Workers of America, and the said Company, has already been the subject of Government intervention by reference under the Industrial Disputes Investigation Act, and the report of the Board appointed has been given to the public in accordance with the provisions of the Act. Were parties to industrial disputes encouraged to look indefinitely to Government intervention, or given reason to believe that the findings of boards appointed expressly for the purpose of inquiring into existing troubles would be subject to further revision by the Minister or other officer of the Department of Labour, it would seriously prejudice the effectiveness of the work of the boards appointed under the Act, and the value of their findings, and might only serve, having regard to industrial disputes generally, to prolong rather than minimize the period of industrial strife.”

Numerous arrests were made from day to day by special constables of the Company, many of whom had been sworn in. The charges were chiefly of minor disorders and loitering, which last was illegal under a city by-law. The strikers claimed to be in this way prevented unfairly from doing picket duty. On July 27, an attempt was apparently made to dynamite the residence of Mr. Robert Simpson, manager of the Reserve Colliery. The verandah and all the windows of Mr. Simpson's house were badly shattered. On the following day there was a somewhat similar occurrence at a house at Lingan Lake, occupied by a coal cutter who was coming to work. No person was injured in either case.

The Deputy Minister having made a careful inquiry into the conditions prevailing in the district at the time of his arrival, September 1, and having met the representatives of both parties to the dispute, found that although the length of the



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strike was, at that time, wholly conjectural, the output of coal, if it continued to increase as it was increasing at the time of his visit, would, by the end of October, reach a point of production substantially equal to that usually attained during the winter months.

## THE STRIKE AT INVERNESS.

The strike at Inverness commenced on July 9, and differed from the other two inasmuch as the dispute had not been referred to a Board of Conciliation and Investigation. The daily output, which was about 1,000 tons, dropped to 399 tons on July 10, after which date it increased rapidly. The immediate cause of the strike was the collection of dues from the miners who had joined the United Mine Workers of America. A disturbance on July 10 caused the Company's officials to ask for military protection, and one hundred men of the Royal Canadian Regiment were sent under command of Lieut.-Col. Weatherbee. The Department of Labour drew the attention of the United Mine Workers of America officials to the situation at Inverness, making special inquiry as to whether the strikers were receiving relief from the organization. A letter was received in reply setting forth the alleged circumstances of the strike, but making no mention of the question of relief.

The Deputy Minister pointed out, however, that a representative of the United Mine Workers of America, at Inverness, had frankly informed him that he was distributing relief to the strikers, having 265 names on his list.

## THE STRIKE AT SPRINGHILL.

As in the case of the strike at Glace Bay, this dispute had been referred to a Board, the members being Mr. Justice Longley, of Halifax, chairman; Mr. Chas. Archibald, Halifax; and Mr. E. B. Paul, M.P.P. The employing Company was the Cumberland Railway and Coal Company. Several grievances were referred to the Board, and the demand for recognition of the United Mine Workers of America was included. The Board, after a careful review of the arguments for and against recognition, decided that the Department of Labour was not empowered to force any Company operating an industrial enterprise to give recognition to any labour organization formed among its employees. The Board of Investigation left it to the judgment and discretion of the Company as to how far it would officially recognize an organization which had its central authority outside the Province, and which was largely under the control of interests that might be in keen competition with the interests of the Company.

Mr. Paul, one of the members of the Board, expressed the opinion that the recognition of the Local Union of the United Mine Workers of America would tend to lessen friction and to promote a better understanding between the parties. The Board advised both parties to adopt conciliatory measures in order to avoid the cessation of operations which would result in far-reaching and disastrous consequences. A feature of the investigation was the presentation of a statement by the Company claiming to show that the mine was being operated at a loss.

The men refused to accept the findings of the Board, and the strike took effect on August 10. Every man was called out, no hands being left to protect the mines.



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This last was the occasion of a letter from the *Halifax Herald* to Mr. T. L. Lewis, President of the United Mine Workers of America, asking him if such action were in accordance with the policy of his organization; Mr. Lewis' reply was in the negative. The pumpmen, however, remained out, and officials of the Company performed the work necessary for the protection of the mines.

On September 1, the Company notified the miners that it would not resume operations, except at a reduction of 15 per cent on the rates paid at the commencement of the strike.

#### CONSENSUS OF OPINION AS TO THE INDUSTRIAL DISPUTES INVESTIGATION ACT.

The report closed with the following sentences, relative to the consensus of opinion in Nova Scotia as to the operation of the Industrial Disputes Investigation Act:—

“I heard much discussion of the Industrial Disputes Investigation Act while in the coal mining districts of Nova Scotia. While many had views as to amendments that would, in their opinion, strengthen the Act, there was a general consensus of approval of the principle of the measure. Before the present series of recognition strikes set in, every coal mine in Nova Scotia save one was working under terms recommended by a Conciliation Board, or arranged while a Conciliation Board was being established for the purpose of investigation. The solitary exception was the Inverness mine, where the agreement had existed from 1906, before the enactment of the Act, but where the manager shortly before the present strike started had written the Department for forms looking to the establishment of a Board. Since the enactment of the measure, and prior to the present trouble, there has been but one strike of importance in the coal mining industry in Nova Scotia, that, namely, of the miners of Springhill, in 1907, and this, occurring after an inquiry before a Board, was strictly legal. The only important strike, occurring in open infringement of the Act is that now in progress at Inverness, where, however, the trouble was largely the work of newly-arrived Belgians. There was a strike of a few days' duration at Springhill, a week or two after the enactment of the Act in 1907, but the men returned to their work immediately on learning that the new Act applied to their case.

“Looking at the number of agreements affected in the coal mining industry under the Industrial Disputes Investigation Act, it is impossible not to feel that the men have in this Act a means of appealing to public opinion against unfair treatment, which is likely to prove far more effective than a strike. Three-fourths of the miners in Nova Scotia, even in face of the existing strikes and friction, are contentedly working under agreements thus effected.”

#### SUBSEQUENT DEVELOPMENTS.

It will be appropriate here to add a brief statement of the events subsequent to the visit of the Deputy Minister to Nova Scotia, the course of which, it will be seen, followed closely on that indicated as probable in the report. At Glace Bay the output gradually increased until by the close of navigation, about mid-November, it exceeded 9,000 tons daily, and was but slightly below the normal figure; after the close of navigation, the Company proceeded with its full working strength,



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instead of reducing the winter output, as in the preceding years, and thenceforward it was claimed by the Company, conditions ceased to be affected, the production for the winter season averaging higher than during the preceding year. Usually, banking is commenced about mid-February, and a full working force is employed from that date; the comparison, therefore, for the period subsequent to that date shows slightly in favour of the preceding year. The figures given the Department by the Company, for the first three months of the years 1909 and 1910, respectively, are as follows:—

	1909.	1910.
January.....	200,176	212,073
February.....	209,656	204,521
March.....	253,622	243,763
	<hr/>	<hr/>
Total,	663,454	660,357

The military stationed in the district was finally withdrawn on March 3.

The agreement between the Dominion Coal Company and its employees, framed by a Board of Conciliation and Investigation presided over by Professor Adam Shortt, in March, 1908, and under which the members of the Provincial Workmen's Association continued to work after the strike was proclaimed, was dated to expire December 31, 1909. Some time before this date was reached, negotiations for a further agreement were started, and early in November the agreement, slightly modified, was extended until December 31, 1911; the only change of rates being a 5 per cent increase in the case of labourers formerly receiving \$1.52 as their maximum rate, which was thereby increased to \$1.60.

It may be added that the strike continued until shortly after the close of the fiscal year, when, on April 28, the men abandoned the claim for recognition, and decided to work on the basis of the modified agreement and on the understanding that employment would be given them by the Company as fast as vacancies occurred, the Company also understanding that there should be no discrimination against those who had ceased work. It is estimated that about 1,300 former employees of the Company were still on strike at the time the decision to resume work was taken.

In the case of the Cumberland Railway and Coal Company the mines remained closed, save for the manning of pumps and boilers for repair work, from the date of the strike until during the month of March last, when the Company began raising coal at one colliery. The general manager, writing the Department under date of March 19, stated "that some 338 men have been engaged of all classes, including seventy-three certified miners, and raising of coal has been resumed. The average output for the current month has been from 175 to 200 tons a day. It is the intention of the Company to continue recruiting miners, and improve output to the extent of increasing shipments to normal capacity, as early as possible."

Mr. William Watkins, Secretary of the local union of United Mine Workers of America, at Springhill, writing the Department, under date of April 3, stated that 1,400 to 1,500 men remained on strike, and that conditions generally were most orderly.

In the case of the Inverness strike conditions had practically ceased to be affected a few weeks after the declaration of strike, but production continued at a somewhat lower level than during the preceding year. The regular soldiers



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left Inverness on October 1, but a company of the Ninety-fourth was placed under order to aid the civil power, if required, and a few score of strikers, chiefly Belgians, remained until winter, when they left the vicinity. In connection with this dispute it should be stated that an action was brought in October against one David Neilson, an agent of the United Mine Workers of America, for supporting men on strike, contrary to the provisions of the Industrial Disputes Investigation Act, 1907. Several charges were brought, and Mr. F. A. McEachen, the Stipendiary Magistrate, found the defendant guilty in the first case and imposed a fine of \$500 and costs or three months' imprisonment. The case was appealed to the Court of Appeal and judgment on appeal had not been given at the date of writing.

## 2.—Inquiry into Strike of Canadian Pacific Railway Freight Handlers at Fort William, Ont.

On August 12, the Minister of Labour learning through the press of the occurrence of a strike on the part of freight handlers to the number of 700 employed by the Canadian Pacific Railway Company at Fort William, Ont., opened communication through Mayor Peltier of Fort William with the parties concerned, as a result of which Mr. F. A. Acland, Deputy Minister of Labour, was commissioned on August 15 to proceed to Fort William to lend the good offices of the Department towards effecting, if possible, an adjustment of the dispute. The differences in question related to the demands of the freight handlers for increased rates of pay and for the discontinuance of a bonus system by which one cent per hour of their wages was held by the Company until the completion of the season's work.

On August 18, the Deputy Minister informed the Minister of Labour from Fort William that formal application had been made by the employees for the establishment of a Board under the Industrial Disputes Investigation Act. In this message the Deputy Minister also announced that the strikers had all returned to work and that troops which had been called out for the preservation of order had been withdrawn. A board was established immediately and on August 24, six days after the application had been transmitted to the Department, a unanimous report was presented and the dispute adjusted accordingly.

The dispute was of more than ordinary importance because during the short-lived strike an encounter occurred between the strikers, mostly foreigners not long in Canada, and a number of special constables, in which several men on both sides were seriously wounded. The Minister of Labour, on August 12, addressed the following telegram to Mayor Peltier:—

“Press despatches mention you have been endeavouring to arrange settlement of longshoremen's strike. Possibly, parties are not aware that Industrial Disputes Investigation Act is applicable to this dispute and that persons violating provisions of Act are liable to prescribed penalties. Two years ago longshoremen at Montreal and Halifax, having struck without knowledge of provisions of Act, returned to work, and had difficulties referred under its provisions once the same were brought to their attention. Possibly strikers at Fort William will see the wisdom of adopting a similar course. I will be pleased to establish a Board of Conciliation and Investigation forthwith if so requested. Copies of Act mailed yesterday to W. Houston, Secretary Longshoremen's Union.

(Sgd.) W. L. MACKENZIE KING,  
*Minister of Labour.*”



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A message was received in reply from Mayor Peltier, stating that the situation was well in hand and that a proposition had been made for the settlement of the dispute. On August 15, a telegram was received by the Minister from Mr. Frederick Urry, correspondent of the *Labour Gazette*, at Port Arthur and secretary of the Trades and Labour Council of that place, as follows: "Strike Committee of freight handlers, Fort William request your presence here to hear their grievances and effect settlement. Wire reply."

The Minister replied as follows:—

'Your telegram of last night received this morning. The Deputy Minister, Mr. F. A. Acland, will leave for Fort William immediately to lend the good offices of the Department towards effecting a settlement of the Fort William dispute. Mr. Acland was instrumental in effecting, under similar circumstances, a settlement of a longshoremen's dispute at Montreal two years ago, and I bespeak for him the confidence of each of the parties.'

In his report to the Minister on this mission the Deputy Minister set down briefly the leading features of the dispute leading up to the intervention of the Department. There were, he said, about 700 men receiving employment as freight handlers at the freight sheds of the Canadian Pacific Railway Company at Fort William. The employees were of numerous nationalities and the rate of wages up to the time of the dispute was 17½ cents per hour for day work and 20 cents per hour for night work, with an additional cent for each hour worked, given as a bonus at the end of the season to the men who remained on duty until that time. The object of this bonus was to induce the men to hold themselves available for duty until the close of the season of navigation, this system being identical with that in force between the shipping companies and the longshoremen of the port of Montreal. During the season the work had proceeded quietly enough at the rate of payment mentioned above until August 7, when the Company was surprised by the men suddenly and without any formal warning ceasing work. The result of the longshoremen's refusal to work was to derange the shipping facilities of Fort William and to threaten a tie-up of steamers that might be in port or might come to port.

The report points out that the industry being one involving transportation facilities brought the dispute within the province of the Industrial Disputes Investigation Act and the men were not complying with the terms of the Act in ceasing work before the differences between them and their employers had been referred to a Board of Conciliation and Investigation. The men employed were, however, as has already been pointed out, foreigners for the most part, and with perhaps few exceptions were without more than the rudiments of education. There seemed good ground for accepting the claim subsequently advanced by the leaders of the men that they had been unaware of the existence of the Industrial Disputes Investigation Act and that had they known the requirements of this law they would not have ceased work without their grievances being first investigated. During the two or three days following the strike, more or less informal conferences took place between the representatives of the men and the officials of the Company, Mr. J. T. Arundel, General Superintendent of the Central Division



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of the Canadian Pacific Railway Company, Assistant General Manager Bury, and the local representative, Superintendent J. Graham. The demands of the men were briefly: (1) An increase of pay; (2) Abolition of the bonus system; (3) Better treatment from the foremen. The strikers picketed the approach to the Canadian Pacific Railway Company's sheds from day to day, and one man was arrested for carrying a revolver. The differences, according to the Deputy Minister's report, were in a fair way towards settlement when excitement was aroused by the arrival of thirty special constables from Winnipeg, brought down by the Canadian Pacific Railway Company to protect their property. On the morning of August 10 (Tuesday), an altercation arose between the strikers and the constables which developed quickly into the active use of firearms, with the result that many persons were severely wounded. Mayor Peltier, when the news of this shooting reached him, was in the act of negotiating a settlement with the officials of the Company enabling the men to return to work immediately on improved conditions, with a reference to the Industrial Disputes Investigation Act in the event of further grievances developing. The Mayor proceeded to the scene of the outbreak and read the Riot Act, issuing at the same time the call for the Militia. One hundred and fifty men of the ninety-sixth regiment, located in Fort William and Port Arthur, were soon on duty and order was restored. Col. Steele, D.O.C., who was in Port Arthur at the time of the affray, assumed command and also brought down from Winnipeg seventy-five members of the Canadian Mounted Rifles. The presence of the Militia had a quieting effect and no further untoward incident occurred. The strike continued, and on Friday morning over one hundred men were brought in by the Company from the east and work was partially resumed at the freight sheds. Picketing was continued by the strikers but without disorder. The bearing of the Militia was reported on all hands to have been excellent. Mayor Peltier resumed negotiations looking to a settlement. The Mayor on Saturday regarded normal conditions as restored and requested the withdrawal of military protection. The Militia and Regulars were accordingly withdrawn on Saturday night, and on the Monday following the men resumed work on the understanding that the dispute would be referred for adjustment under the terms of the Industrial Disputes Investigation Act.

The Deputy Minister's report shows that when he arrived in the city on August 17, there was no outward evidence of the disturbance, but a tense and excitable feeling was evident, indicating the necessity for prompt action in bringing the whole matter before a Board for full inquiry and final adjustment. The Deputy Minister met a committee representing the strikers at the City Hall on August 18, there being also present Mayor Peltier and Mr. F. Urry. An application for a Board of Conciliation and Investigation was formally drawn up and handed to the Deputy Minister, in which Mr. Urry was recommended by the men for appointment as a member of the Board. Later the Deputy Minister received from the Company the recommendation of Mr. W. J. Christie, of Winnipeg, and Messrs. Christie and Urry were accordingly appointed. Subsequently Mr. Urry tendered his resignation as a member of the Board and, at a further meeting of committee of the strikers Alderman W. T. Rankin was recommended as a substitute and was immediately appointed. The same meeting passed a resolution in the following terms:



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“We, the committee representing the freight shed men employed by the Canadian Pacific Railway Company at Fort William, appreciate the promptness with which the Department of Labour dealt with our request for the appointment of a board to deal with our grievances, and had we known of the existence of the Lemieux Act, we would not have ceased work until we had invoked the good offices of the Minister of Labour.”

On August 20, Messrs. Christie and Rankin jointly recommended Mr. S. C. Young, a leading citizen of Fort William, for Chairman, and Mr. Young was accordingly appointed. The members of the Board on Saturday morning, August 21, began the official inquiry into the dispute. The proceedings lasted throughout Saturday and much evidence was taken, many men being present throughout the day. In the evening the Board met in private, but finding it impossible to make a unanimous report, decided to take further evidence on Monday, August 23. The meeting on this latter date lasted until Tuesday morning when the finding of the Board was drawn up, being handed to the Chairman on Tuesday evening. This finding was understood to be satisfactory to both parties concerned. The whole proceedings, from the day on which the formal application was received, had lasted only during six working days, show with what expedition the machinery of the Act may be worked when there is special urgency for the same.

The finding of the Board recommended: (1) Payment of the rate of 20½ cents per hour by day and 23½ cents per hour by night, dating from August 16, when the men resumed work; (2) the abolition of the bonus system for the future, and the payment immediately of the bonus earned up to date. Concerning the question of ill-treatment, the Board did not find that any evidence supporting this contention had been submitted, but the Company's officers had given satisfactory assurance on the subject.

In his report the Deputy Minister pointed out that the financial loss suffered by both parties and the unfortunate affray between the constables and the strikers would have been eliminated, had the differences been referred for adjustment under the terms of the Industrial Disputes Investigation Act in the first place. In concluding his report the Deputy Minister acknowledged the excellent public service rendered by His Worship Mayor Peltier throughout the difficulty and the substantial aid which he received from the Mayor and from Mr. Urry in expediting the procedure for the establishment of the Board; also the cordial and courteous co-operation of the officials of the Canadian Pacific Railway Company to the same end.

### **3.—Investigation Into Wages Paid on Construction of Grand Trunk Pacific Railway.**

During the month of July, Mr. J. D. McNiven, one of the Fair Wages officers of the Department of Labour, visited Prince Rupert, B.C., under direction of the Minister of Labour, to conduct an investigation into the rates of wages paid to workmen employed on the portion of the Grand Trunk Pacific Railway, 100 miles easterly from Prince Rupert, under construction by the firm of Foley, Welch & Stewart.

The complaints to which the inquiry related were set forth in communications on behalf of the Prince Rupert Workingmen's Association addressed to the De-



partment of Labour, to the effect that the rates of wages paid by the contractors and sub-contractors to common labourers and other workmen employed on the construction of that portion of the railway were less than the current rates of the district for such classes of labour, and that an infringement had, therefore, occurred of the Fair Wages' clause forming part of Messrs. Foley, Welch & Stewart's contract. The clause in question is as follows:

"All mechanics, labourers or other persons who perform labour in the construction of the works hereby contracted for shall be paid such wages as are generally accepted as current for competent workmen in the district in which the work is being performed, and, if there is no current rate in such district then a fair and reasonable rate, and, in the event of a dispute arising as to what is the current or a fair and reasonable rate, it shall be determined by the Minister of Labour, whose decision shall be final."

During his stay in Prince Rupert, Mr. McNiven had many interviews with Mr. Patrick Daly, Secretary of the Prince Rupert Workingmen's Association, and other members of that organization. From Mr. Daly and from individual workmen he heard a great number of complaints, many of them being outside the scope of the inquiry which he was commissioned to make and relating principally to various forms of alleged ill-treatment to which stationmen had been subjected. Mr. McNiven had interviews also with representatives and officials of the firm of Foley, Welch & Stewart and with many prominent residents of Prince Rupert.

Mr. Daly informed Mr. McNiven that at the time of the complaint of the Prince Rupert Workingmen's Association the firm of Foley, Welch & Stewart and their sub-contractors were not paying the rates current in Prince Rupert and the Skeena district, but that he had reason to believe that more favourable rates had since been conceded by the contracting firms in question.

Mr. McNiven called at the office of Messrs. Foley, Welch & Stewart, and through the courtesy of Mr. Smith, paymaster for the firm, was given free access to the pay rolls for the months of May and June, 1909. The following statements show the rates of wages and the number of men employed at each rate:

	May.	June.
At \$1.30 per day and board.....	10	
" 1.75 " .....		2
" 2.00 " .....	5	1
" 2.25 " .....	4	1
" 2.50 " .....	618	658
" 2.75 " .....	1,324	1,558
" 3.00 " .....	980	835
" 3.25 " .....	30	71
" 3.50 " .....	53	66
" 3.75 " .....		6
" 4.00 " .....	13	12
" 4.50 " .....		1
" 5.00 " .....	2	1
" 5.50 " .....	5	
" 6.00 " .....		1

Those receiving from \$1.30 and board to \$2.25 in May, and from \$1.75 to \$2.25 in June are water boys and a few inferior workmen. Those receiving \$2.50, \$2.75 and \$3.00 are ordinary labourers, and represent the bulk of the workmen.



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Those receiving from \$3.25 to \$4.00 are underground men, handymen, axemen, &c. Steam drill men received from \$4.50 to \$5.50, and one man, who handled powder, received a rate of \$6.00 per day while engaged at that work.

The rate charged for board was 25 cents per meal, or \$5.25 per week. Bunk houses were provided for the men, free of charge, but they were required to provide their own blankets and bedding.

	May.	June.
At \$ 35 per month.....	63	26
" 40 " .....	129	132
" 45 " .....	60	59
" 50 " .....	40	49
" 55 " .....	4	3
" 60 " .....	12	12
" 65 " .....	11	12
" 70 " .....	3	9
" 75 " .....	152	146
" 80 " .....	16	26
" 85 " .....	41	41
" 90 " .....	53	60
" 95 " .....	1	
" 100 " .....	33	45
" 110 " .....	8	5
" 125 " .....	6	5
" 150 " .....	4	5
" 175 " .....	2	3

The rates given in this statement include board in all cases.

Flunkies, teamsters, bull cooks, &c., received \$35, \$40 and \$45 per month.

Storekeepers, night watchmen, firemen, &c., received \$50 to \$60.

Those receiving \$65 to \$70 were assistant cooks, steam shovel firemen, boatmen on gasoline launches carrying supplies, &c.

Those receiving \$75 to \$110 were ordinary foremen, timekeepers, cooks, dinky locomotive engineers, steam derrick engineers, cranemen, &c.

Camp foremen and steam shovel engineers received rates varying from \$100 to \$175.

Regarding a complaint made by the Prince Rupert Workingmen's Association, that workmen were not being paid their wages, Mr. McNiven was unable to find a specific case of any real grievance of this nature.

During the progress of investigation Mr. McNiven visited a number of camps on the line, with the object of getting into touch with the workmen and learning the conditions under which they worked and the treatment accorded them by their employers. As to wages, very few complaints were heard, and these were made by ordinary labourers receiving \$2.75 and \$3.00 per day. It was ascertained that the rate of wages paid by the Government of British Columbia to common labourers engaged in the construction of sewers within the limits of Prince Rupert was \$3.00 per day, while the lowest rate at which board can be obtained there was \$1.00 per day or \$7.00 per week.

The Government of British Columbia also paid \$3.00 per day for the building of wagon roads and trails in the Skeena District, and Mining Companies paid from \$3.00 to \$3.50 per day, while the lowest rate paid for board by those engaged in this class of enterprise was \$1.00 per day.



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Concerning this matter the Prince Rupert Board of Trade is on record as follows:—

“At a meeting of the Board held April 2, 1909, a committee was appointed to look into the matter of wages in and around Prince Rupert. At the general meeting of the Board held April 12, the committee reported that from information received from contractors and labourers who had been in the vicinity of Prince Rupert for two years or more, they believed \$3.00 to \$3.50 had always been paid for common labour, and since the cost of living had not decreased in the past year, the committee favours the Board recommending \$3.00 per day as a fair wage for unskilled labour. The report of the committee was adopted. The matter was again taken up at a meeting of the Council of the Board of Trade held July 19, when it was moved “that the resolution passed on April 12, be again endorsed.” There being no seconder to the resolution, the mover challenged any member of the Council to move that it be rescinded, when it was promptly moved and seconded: “That the Council recommend to the Board that the resolution of April 12, 1909, *re* wages for unskilled labour, be rescinded.”

This resolution was carried.

Inquiry showed that the rates of wages paid by contractors to ordinary labourers on railway construction in the Rocky Mountains and west of Vancouver were \$2.25 and \$2.50 per day, while the rate charged for board was the same as that charged by Messrs. Foley, Welch & Stewart. From the Rocky Mountains east to Fort William the rates were \$1.75 and \$2.00 per day. The rates for board were \$1.50 in the East and Middle West and \$5.25 in the extreme West. On the section of the Grand Trunk Pacific Railway easterly, from Prince Rupert, Messrs. Foley, Welch & Stewart paid ordinary labourers, \$2.50, \$2.75 and \$3.00 per day. Rate for board, \$5.25 per week.

Mr. McNiven reported that while the rate of wages paid by the Government of British Columbia for sewer construction in Prince Rupert, and by mining companies in the interior of the Province, was slightly higher than that paid by Messrs. Foley, Welch & Stewart, the difference was fully offset by the rates the men were required to pay for board. He expressed the opinion that since the supply of labour was not equal to the demand and that all kinds must be accepted, some latitude should be allowed in the fixing of a minimum rate and that the prices paid by Messrs. Foley, Welch & Stewart were fair and reasonable and should not be interfered with.

#### **4. —Special Investigation and Report on Disputes Among the Fishing Population of the Peninsula of Gaspé, Que.**

On September 24, 1909, Mr. Victor DuBreuil, one of the Fair Wages officers of the Department of Labour, left Montreal, under the direction of the Minister of Labour, to conduct an investigation into certain difficulties between the fishermen and some merchants and fish importers of the several localities in the Gaspé Peninsula.

Mr. DuBreuil's report was submitted to the Minister of Labour under date of October 19, 1909, and stated that the industries concerned were controlled by companies operating general stores and exporting dry fish, the principal markets being



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South American countries and Mediterranean ports. During the year preceding Mr. DuBreuil's investigation, the companies claim to have sold at a loss, importers preferring to buy fish from Norway or Labrador. Some of the localities concerned are Anse aux Griffons, Petite Rivière, Petit Cap, Grande Anse, Echourie, Pointe Jaune and Fox River, where the riot took place. The population of the fishing points was composed almost exclusively of Canadians of French descent, mostly engaged in the fishing trade. The people in question are kind, laborious and thriving citizens, the report pointed out, inclined to be excitable when provoked, and the majority of them possessing only a very rudimentary education. The names of the firms mostly concerned in the dispute are as follows: The Wm. Fruing Company, The Chas. Robin Collas Company, and H. J. Hyman and Sons.

Mr. DuBreuil's interview with the representatives of the merchants demonstrated their net profits on the sale of goods to fishermen to be about 25 per cent. The prices paid to fishermen were as follows:—

For No. 1 Quality. ....	\$3.50 per quintal (112 lbs.)
“ Inferior Quality.....	2.00 “ “
“ Extra large fish.....	3.60 to \$3.90 per quintal.

In addition the fishermen sell crude cod liver oil to merchants, at from 18 to 22 cents per gallon.

Mr. DuBreuil's investigation went to show that the fishermen were irritated at the treatment received from certain of the agents and clerks of the merchants, who had annoyed them and members of their families by alleged arrogance and discourtesy. The investigation showed also that the Truck System was in operation between merchants and fishermen by virtue of which fish were exchanged for provisions and other goods. This system, it was pointed out by Mr. DuBreuil, is disastrous to the fishermen, if they make a poor catch, the latter being unable to deal with other business places on account of their previous indebtedness to the local merchant. The fishermen, on account of their inability to read, are often charged extortionate prices, and Mr. DuBreuil reports the case of one man who was repeatedly charged for articles which he never obtained. The merchants sold their goods on credit to the fishermen, and sometimes a period of a whole year elapsed before a final settlement was made, as the supplies bought during the winter were only paid for after the fishing season opened. The Companies had an arrangement among themselves by which the prices to be paid for fish were fixed, and the existence of such a combination, in Mr. DuBreuil's opinion, proved to be one of the causes of the tumult. Discontent was also caused by the unsatisfactory method of weighing the fish, old-fashioned devices being in use.

In 1908 an epidemic of diphtheria scourged some of the localities in the peninsula, and was severely felt at Fox River. Several families were quarantined; the men were unable to fish and consequently could not pay for their supplies at the stores.

Mr. DuBreuil's report contains a price list of the most needed articles of food sold to the fishermen, from which it appears that though the merchants do not charge excessive prices for their goods, the poorest of the fishermen have to pay the highest prices on account of their inability to pay their bills on short notice.



The fishing season lasts about five months during the year, and the average catch of two men during the season, varies between \$250 and \$600. As very few of the fishermen earn anything during the winter, those with large families are in a precarious condition when the catch is small. The beginning of the disturbance which was the cause of Mr. DuBreuil's investigation, arose from the visit of Philip Francoeur, a former resident of the neighbourhood, on September 3. In conversation with some of the fishermen of Fox River, he remarked that if he was duly authorized by them to act on their behalf, he would sell their fish at \$4 per quintal, to Halifax merchants. He was authorized to proceed to Halifax, and a subscription was raised to defray his expenses. Francoeur entered into negotiations with a fish merchant of Halifax who sent a schooner to Fox Bay with his agent, Mr. J.W. Nickerson, on board. The fishermen claim to have understood that Nickerson had instructions to pay \$4 per quintal for fish. As soon as the schooner was signalled, Mr. Hyman went on board to meet Nickerson and urged him not to pay more than \$3.50 per quintal for fish. On his refusal to pay \$4, the fishermen became very excited.

Mr. DuBreuil's report states that on September 6 the fishermen seized Mr. Charles Brien, agent for the Fruing Company, and forced him to sign an agreement by which he promised to pay \$4 per quintal for the fish, and also not to take proceedings against fishermen in arrears in their payments for goods bought from his firm during the space of one year. He also promised to remove his agent at Fox River, who had become objectionable to the fishermen, but he refused to bind the other merchants by an agreement. The fishermen appointed a deputation to meet the other merchants, with a view to getting them to sign the agreement, and in the absence of Mr. Hyman, met his agent, Mr. Romeril, and summoned him to sign it. Mr. Romeril refused and ordered the men to disperse from the public roadway. The representatives of the men withdrew and reported their reception to the fishermen, who sent another delegate to repeat their demand. Mr. Romeril followed this man to where the fishermen were assembled and was surrounded by them and rudely treated, firing three shots into the mob, in order, as he claimed, to save his life. Then he tried to make his escape, but the men followed him and disarmed him. Mr. DuBreuil gives in full the copy of an affidavit sworn by Mr. J. W. Nickerson, which runs as follows:—

“GRAND ETANG, September 5, 1909.

“I, the undersigned, do solemnly declare before the undersigned witnesses, that in a meeting, Mr. Philip Francoeur for the first time presented me with a petition written in French, of the nature of which I asked to be informed. He replied that it was a petition signed by the inhabitants of Fox River and elsewhere, which he said he had by the Government to enable him to sell their fish anywhere, or to any body. He then proposed to sell me about 3,000 quintals cod-fish, which were in the hands of the inhabitants of Fox River, at the rate of three dollars and fifty cents per quintal, culled and in proper condition, provided I would give him twenty-five cents per quintal for his own personal purpose.

On my second meeting with the said Philip Francoeur, in Mr. Hyman's house, I accused him of misrepresenting me and giving me trouble through having told the people that the price I would pay for the fish was \$4 and over. He replied that he



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had not done so, but that such reports emanated from the fishermen who were all liars and fools. I then proposed that the matter be dropped altogether, and he replied that he would be glad to do so, and much more pleased than if he had received one thousand dollars. When I reached Fox River, I found that he had weighed from some people some 195 quintals which I was willing to take at price agreed upon, but he replied that the parties would not deliver it, and said that the whole matter was dropped.

Sworn before me, this 5th day of September, 1909.

H. J. HYMAN, J.P.

WALTER RYAN }  
GEO. GODFRAY } *Witnesses.*

J. W. NICKERSON.

On September 11, Mr. Brien caused twenty-four men to be arrested. Two were released for lack of proof against them, and five were sent to prison, the remaining seventeen being released under bail for \$200 for one year.

Mr. DuBreuil's report concludes with his opinion on the situation which is to the effect that the attitude of the fishermen was due to their having been misled by Francoeur, and to their discouragement at the fall in the prices of fish. He pointed out that if the prices declined further, and the price for food remained at its present figure, the position of the fishermen must shortly become intolerable, and they would be forced to abandon their homes, which would be the ruin of the most important industry of the Gaspé Peninsula.



## VII.—HOURS OF LABOUR ON PUBLIC WORKS.

A special Committee of the House of Commons was appointed on December 9, for the purpose of reporting on Bill No. 21:—An Act respecting the Hours of Labour on Public Works. This measure, which was introduced by Mr. Alphonse Verville, (Maisonneuve) on November 22, 1909, and which received its second reading on December 9 following, has engaged the attention of the House of Commons on several previous occasions. It proposes that a condition shall be inserted in all Dominion Government contracts to provide that no workman in the employ of the contractor shall be permitted or required to work more than eight hours per day, except in cases of emergency; also that a like policy shall be adhered to in the case of work undertaken by the Government of Canada by day labour.

In moving the second reading of the Bill, Mr. Verville asserted that the demand for a shorter working day was almost universal, and that the question was one which the Parliament of Canada should study and consider so that relief might be afforded to all who are, at the present time, labouring under trying conditions. The Dominion Government should be, he claimed, a model employer of labour. Against the eight-hour day proposal it had been urged, in some quarters, that the effect would be to reduce and to demoralize production. Mr. Verville did not, however, believe that shorter hours of labour would have any such effect. Upon the conclusion of the debate Mr. Verville declared himself also as gratified with the discussion, and as satisfied that the Bill should be referred to a special committee after the principle involved had been affirmed by the passage of the second reading. In the course of his remarks, Mr. Verville congratulated the Government on having appointed a Minister of Labour who could devote all his time to the study of labour questions. The demand, he said, which had been made for years past, for the creation of this portfolio, showed the necessity for it.

The Minister of Labour expressed the belief that the workingmen of Canada owed a debt of gratitude to Mr. Verville for the introduction of this Bill. The history of labour legislation showed that, on the whole, a shortening of the hours of labour had been of immense benefit not only to the working classes, but to the industries themselves. The question of hours of labour in Canada was primarily one for the consideration of the Provincial Legislatures, but the discussion of the subject in Parliament would, he believed, be reflected in future legislation by the Provinces. In so far as the question bore upon the amelioration of the everyday life of the working classes he was of opinion that the Dominion Parliament, so far as its power extended, should do all that it could to further that end. Parliament, he observed, had certain powers in regard to works carried on by the Government of Canada.

In so far as the Bill related to the hours of labour on public works, it was desirable to point out that the Government had already taken considerable steps toward meeting the object which the Bill had in view through the adoption in 1900, of a Fair Wages Policy, providing for the payment of fair wages to workingmen engaged on public works, and the enforcement of the hours of labour current in the districts where such works are being carried on. The Minister concurred in the



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opinion which had been expressed by other participants in the debate that the Bill should be referred to a special committee in order that the measure might not be lost on a vote, and that all interests concerned might have an opportunity of being heard, and in order also that the various points which had been raised in the present debate might be fully considered.

Mr. R. L. Borden observed that the subject to which the present Bill related was one which must be dealt with. In common with every member of the House, he was disposed to give the most sympathetic consideration to all measures designed to improve the condition of the labouring classes. He was willing that the Bill should be referred to a special committee in order that the parties concerned might be heard, and in order that any information in the possession of the Government might be produced.

In the course of the debate the point was raised that the Bill, as introduced, would have the effect not only of regulating the hours of labour on Government works, but of precluding the purchase by the Government, or by contractors on Government works, of any materials produced under a system which required the workmen concerned to work more than eight hours per day. A fear was also expressed that, in its present form, the measure might seriously interfere with the operation of mills and factories employed in part in the execution of Government contracts, and that the passage of such a law might increase the difficulty which farmers now experience in obtaining the labour which is required for their farming operations.

It was urged by one of the participants in the debate that a conference should be held of the various Provincial Governments, for the purpose of adopting a uniform law on this subject throughout the Dominion. Reference was made to the eight-hour law as applied to mining and smelting operations in British Columbia, and the statement was made that a great change had been effected thereby in the men employed in this branch of industry, and in the conditions of their home life. It was also asserted that the eight-hour day in England and in Australia had produced excellent results.

The special committee to which the Bill was referred was composed of the Honourable W. L. Mackenzie King, Minister of Labour, chairman; Mr. A. C. Macdonell, Toronto; Mr. Ralph Smith, Nanaimo; Mr. Wm. Staples, Macdonald; Mr. L. E. Prowse, Queen's, P.E.I.; Mr. David Marshall, East Elgin; Mr. Alphonse Verville, Maisonneuve; Mr. John Stanfield, Colchester; Mr. Andrew Broder, Dundas; Mr. Gustave A. Turcotte, Nicolet; and Mr. W. E. Knowles, Moose Jaw. In all, nineteen meetings of the special committee were held, at which a large number of witnesses were examined, representing, for the most part, interests especially affected by the proposed legislation; and a great deal of valuable information obtained with respect to hours of labour in Canada and in other countries, which will be published as an Appendix to the Journals of the House of Commons for the Session of 1909-10.

The following witnesses were examined before the committee: On January 21 and January 26, Professor O. Skelton, of Queen's University, Kingston. On February 2, further evidence was given by Professor O. Skelton. On February 16, Mr. V. DuBreuil, Fair Wages Officer of the Department of Labour. On February 23, further evidence was given by Mr. V. DuBreuil and by Mr. J. D. McNiven, Fair



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Wages Officers of the Department of Labour. On March 2, further evidence was given by Mr. J. D. McNiven, Fair Wages Officer of the Department of Labour; Mr. John Armstrong, Chief of the Bureau of Labour of the Province of Ontario; and Mr. Louis Guyon, Chief Inspector of Factories of the Province of Quebec. On March 9, Mr. F. B. McKune, Superintendent of the open hearth department of the Hamilton Steel and Iron Company, Hamilton, Ont.; Mr. Daniel W. Evans, foreman of the finishing department of the same Company; Mr. Justus Post, engineer of the blast furnace department of the same Company; Mr. Phelps Johnston, general manager of the Dominion Bridge Company, Montreal and Lachine; and Mr. Chas. M. Doolittle, stonecutter, of Dundas, Ont. On March 16, Mr. G. M. Murray, secretary of the Canadian Manufacturers' Association. On April 6, Messrs. John H. Lauer, secretary-treasurer of the Montreal Builders' Exchange, and of the General Association of Builders of Canada; Edward T. Nesbitt, president of the Canadian National Association of Builders and of the Builders' Exchange of Quebec; and John Tweed, of Toronto, General Organizer for the United Brotherhood of Carpenters and Joiners in Ontario. On April 13, Messrs. Wm. Watkins, of Springhill, N.S., a member of the United Mine Workers of America; Jos. Ainey, a member of the United Brotherhood of Carpenters and Joiners of America; and Edward J. Stephenson, of Winnipeg, a member of the International Typographical Union. On April 20, Messrs. Patrick M. Draper, of Ottawa, Secretary-Treasurer of the Trades and Labour Congress of Canada; and Gustave Francq, of Montreal, First Vice-President of the Trades and Labour Congress of Canada; and on April 28, Professor O. Skelton, of Queen's University, Kingston; and Mr. Thomas Robb, of Montreal, representing the Shipping Federation of Canada.

The fourth report of the special committee, which was presented to the House of Commons on May 3, is as follows:—

Your Committee, since its appointment on the 9th day of December, 1909, has held nineteen meetings, all of which were open to the public, and heard a large number of witnesses, representing interests specially affected by the proposed legislation. The Dominion Trades and Labour Congress and the Canadian Manufacturers' Association were represented by their respective secretaries, each of whom presented the views of the members of these bodies in carefully prepared and comprehensive memorials. The views of the Shipping Federation of Canada were given by its secretary. Individual employers of labour and leading trade union officials representing special industries and trades in different parts of Canada, gave testimony from the point of view of labour and capital respectively, whilst information of an official nature as well as expressions of opinion, were obtained from the Fair Wages Officers of the Department of Labour, Ottawa, the Secretary of the Ontario Bureau of Labour, Toronto, and the Chief Factory Inspector of the Province of Quebec. An exhaustive analysis of the nature and administration of the legislation of other countries respecting the hours of labour on public works was given by Professor Skelton, of Queen's University.

2. In addition to the evidence of witnesses, the Committee obtained by correspondence, in reply to 3,600 communications sent out, expressions of opinion from 721 different persons. Of the replies received, approximately 80 per cent contain valuable suggestions and arguments respecting the Bill. Of these replies, 304 were from officers of labour unions; 302 from manufacturers, including the Employers' Association of Toronto; 65 from Farmers' Institutes and the Dominion Grange; 39 from Boards of Trades; and 11 from transportation companies, including the Marine Association.



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3. The evidence taken, together with the proceedings of the Committee, but not including communications sent or received, covers some 400 pages of printed matter.

4. Owing to the number of persons who expressed a desire to give testimony, the Committee has been obliged to continue its sittings for the taking of evidence up to the present time, but notwithstanding, has been unable to hear all persons who have asked to be allowed to give testimony. Owing to the volume of evidence taken, the Committee has not had opportunity of giving to the evidence and the large number of communications which have been received, the careful consideration which their importance demands. The Committee think that the communications should be carefully classified, and together with the evidence, duly printed, and rendered available for distribution, in order that the members of the House of Commons and of the Senate, and those who may be especially interested in or affected by the proposed legislation, may have an opportunity of becoming fully informed on the many important bearings of the proposed measure.

5. The Committee, therefore, recommends that the Clerk of the Committee be directed to classify the correspondence which has been received, and prepare an index in detail of the evidence and correspondence; also that Rule 72 of the House be suspended and that the reports of Committee, the proceedings, evidence and communications be printed in one volume available for distribution, to the number of 5,000 copies in English and 1,000 copies in French.

6. The Committee also recommends that the reports, proceedings, evidence and correspondence be printed as an appendix to the Journals.



## VIII.—FAIR WAGES ON PUBLIC CONTRACT WORK.

During the past year the Department of Labour, which is entrusted with the administration and enforcement of what is commonly known as the Fair Wages Policy of the Dominion Government, prepared and furnished to various Departments 148 Fair Wages Schedules for insertion in public contracts, and for use also in certain instances, in connection with public works to be executed by day labour. The rates of wages fixed in these Schedules are based on the current rates of the particular localities in which the work is to be done, and where there is no such current rate on what might be regarded as a fair and reasonable rate, due regard being had to the cost of living in the localities in question.

The work of this branch of the Department of Labour has grown out of the adoption by the House of Commons, in the session of 1900, of a Fair Wages Resolution in the following terms:—

“MR. MULOCK:—That it be resolved that all Government contracts should contain such conditions as will prevent abuses, which may arise from the sub-letting of contracts, and that every effort should be made to secure the payment of such wages as are generally accepted as current in each trade for competent workmen in the district where the work is carried out, and that this House cordially concurs in such policy and deems it the duty of the Government to take immediate steps to give effect thereto.

“It is hereby declared that the work to which the foregoing policy shall apply includes not only work undertaken by the Government itself, but also all works aided by grant of Dominion public funds.”

Under the terms of an Order-in-Council of August 30, 1907, it is required that:

“1. Contractors shall post in a conspicuous place on the public works under construction, the schedule of wages inserted in their contracts, for the protection of the workmen employed. 2. Contractors shall keep a record of payments made to workmen in their employ, the books or documents containing such record shall be open for inspection by the Fair Wages Officers of the Government at any time it may be expedient to the Minister of Labour to have the same inspected.”

It is worthy of note that since the Fair Wages Policy has been adopted in the case of Dominion Government contracts, the Fair Wages principle has been accepted also by a number of the Provinces of Canada, and has been adopted as well by by-law in a very large number of municipalities throughout the Dominion.

The total number of Fair Wages Schedules which have been prepared since the inception of this Policy by the Dominion Government is 1,750, of which almost one-half have been for the Department of Railways and Canals, and over one-third for the Department of Public Works. The number of Fair Wages Schedules prepared in the fiscal year 1908-09 was 320, or 172 more than for the past year. In addition to the enforcement of this Policy in respect of public works Fair Wages conditions have been inserted during the past year in a large number of contracts for Departmental supplies. In the case of the Post Office Department the amount of supplies furnished under Fair Wages conditions was \$140,257.51.



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In addition to the work which has been involved in the preparation of these Fair Wages Schedules, the Fair Wages Officers have been employed in a number of instances to conduct inquiries into cases in which complaint was made that the Fair Wages Schedules were not being lived up to by individual contractors. In the course of the year many requests have been received by the Department of Labour for information respecting the prevailing rates of wages and hours of labour in different parts of Canada, and an endeavour has been made, as far as possible, to satisfy all such requests, the tables compiled by the Fair Wages Officers being indeed in frequent demand for such purposes.

During the Parliamentary session the Fair Wages Officers were called as witnesses before a Special Committee of the House of Commons, which was appointed to consider Bill No. 21:—An Act respecting the Hours of Labour on Public Works, and were examined at considerable length by the members of the Committee on the subject of hours of labour in Canada and elsewhere. Tables were also specially prepared by the Fair Wages Officers for this Committee and filed as exhibits, showing the hours of labour in various trades throughout Canada.

The following tables show the number of Schedules arranged by Provinces, prepared by the Fair Wages Officers during the fiscal year 1909-10, also the number of Schedules, arranged by years, prepared since the establishment of the Department:—

DEPARTMENT OF LABOUR, CANADA,  
STATISTICAL TABLES, X. A.R., No. 10.

STATISTICAL TABLE SHOWING BY PROVINCES THE "FAIR WAGES" SCHEDULES PREPARED BY THE DEPARTMENT OF LABOUR FOR DEPARTMENTS OF THE GOVERNMENT DURING THE FINANCIAL YEAR ENDING MARCH 31, 1910.

Department of Government.	Nova Scotia.	New Brunswick.	P. E. Island.	Quebec.	Ontario.	Manitoba.	Saskatchewan and Alberta.	British Columbia.	Yukon.	Total.
Public Works.....	4	5	4	19	7	2	2	.....	.....	43
Railways and Canals.....	9	21	1	30	17	.....	.....	1	.....	79
Marine and Fisheries.....	3	5	.....	2	3	.....	.....	1	.....	14
Militia and Defence.....	1	1	.....	2	8	.....	.....	.....	.....	12
Total.....	17	32	5	53	25	2	2	2	.....	148

DEPARTMENT OF LABOUR, CANADA,  
STATISTICAL TABLES, X. A.R., No. 11.

STATISTICAL TABLE OF "FAIR WAGES" SCHEDULES PREPARED BY YEAR BY THE DEPARTMENT OF LABOUR FOR DEPARTMENTS OF THE GOVERNMENT DURING THE PERIOD JULY 1900, TO MARCH 1910, INCLUSIVE.

Department of	1900-1	1901-2	1902-3	1903-4	1904-5	1905-6	1906-7	1907-8	1908-9	1909-10	Grand total.
Public Works.....	63	13	11	116	72	41	53	95	125	43	632
Railways and Canals.....	.....	1	50	89	153	95	84	93	163	79	759
Marine and Fisheries.....	.....	17	12	18	21	8	10	23	18	14	141
Other Departments.....	.....	.....	.....	.....	2	3	3	11	14	12	45
Total.....	63	31	73	223	248	147	150	222	320	148	1,625



DEPARTMENT OF LABOUR, CANADA,  
STATISTICAL TABLES, N. A. R., No. 12.

LIST OF CONTRACTS FOR WHICH FAIR WAGES SCHEDULES WERE REQUESTED BY THE DEPARTMENT OF PUBLIC WORKS AND PREPARED BY THE  
DEPARTMENT OF LABOUR, SHOWING ALSO AMOUNT OF CONTRACT, DATE AT WHICH AWARDED AND WHERE FAIR WAGES SCHEDULES PUBLISHED, FOR THE FINANCIAL YEAR ENDING MARCH 31, 1910.

Nature of Work.	Locality.	Date at which schedules supplied by Department of Labour.	Date of Contract.	Amount of Contract.	Issue of <i>Labour Gazette</i> in which Fair Wages schedule was published.
				\$ cts.	Vol. Page.
Cribwork wharf.....	Newcastle, N.B.....	April 2	Contract not let		Not published.
Post Office Building.....	Quebec, Que	May 21	Feb. 6, 1909	47,711 00	X Not published.
Pile and cribwork wharf...	Leonardville, N.B.....	" 26	Sept. 13, 1909	9,895 00	X 504
Work shops for Penitentiary	Prince Albert, Sask	June 28	Sept. 7, 1909	55,490 00	X 503
Heating System for Victoria Museum.....	Ottawa, Ont	June 11	July 12, 1909	48,000 00	X 252
Extension to wharf.....	Moncton, N.B....	" 11	Nov. 11, 1909.	17,600 00	Not published.
Heating apparatus in Public Building	Halifax, N.S	July 24	Oct. 6, 1909	4,863 00	X 586
Alterations to Examining Warehouse.....	Montreal, Que.....	July 30	Nov. 8, 1909	3,727 00	X 715
Landing Pier.....	Gaspé Basin, Que.....	Aug. 16	April 29, 1910	273,985 00	XI 104
Building for Royal Mint...	Ottawa, Ont	Aug. 23	Sept. 7, 1909	31,747 00	Not published.
Armoury Building	Rimouski, Que	" 30	Jan. 4, 1910	8,450 00	X 922
Concrete Ice Breaker.....	St. Ligon, Que....	" 30	Nov. 4, 1909	1,185 00	Not published.
Testing Plant for Mines Branch	Ottawa, Ont.....	" 30	July 13, 1909	13,400 00	Not published.
Alterations to Public Building....	Lethbridge, Alta.....	Sept. 30	Jan. 28, 1910	7,777 50	X 923
Heating apparatus in Public Building.	Halifax, N.S	Nov. 3	Oct. 6, 1909	4,863 00	Not published.
Alterations to Post Office Building...	Winnipeg, Man.....	" 19	Jan. 21, 1910	41,000 00	X 1,041
Addition to Post Office Building....	St. Henri, Montreal, Que.....	" 30	Contract not let		923
Alterations to Post Office Building....	St. Louis, Mile End, Que.....	" 30	Contract not let		
Addition to Post Office Building....	Cumming's Cove, N.B....	" 19	Jan. 21, 1910	16,800 00	X 922
Wharf.....	Toronto, Ont.....	" 23	Jan. 10, 1910	42,795 10	X
Piers and abutments for Highway Bridge	Chapeau, Que..	Dec. 4	March 24, 1910	14,895 00	X 1,181
Restoration of Ordnance Stores' Building	Ottawa, Ont	" 31	May 17, 1910	27,393 00	XI 103
		1910			
Addition to Eastern Departmental Buildings	Ottawa, Ont	Jan. 21	No action taken...		
Pile Protection Pier.....	Winnipeg Beach, Man....	" 28	April 13, 1910	14,960 00	X 1,323
Cribwork wharf and approach...	Ladoutac, Que.....	Feb. 10	No action taken...		



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Cribwork wharf and approach...	St. Joseph de Letellier, Que.....	"	10....	No action taken..	142,900 00	NI	105
Timber dock and ice breaker...	Three Rivers, Que. . .	"	10	May 18, 1910			
Cribwork wharf.....	Natashquan, Que... .	"	10	No action taken.			
Extension to breakwater.....	Joggins, N.S.....	"	18	No action taken.....			
Extension to Public Wharf.....	St. Alexis, Ha Ha Bay, Que.	"	18	No action taken..			
Breakwater..	Little Tancook Island, N.S.....	"	24	No action taken..			
Cribwork wharf.....	Brudenell, P.E.I.....	"	24	No action taken..			
Crib and pile work wharf . . .	Port Hill, P.E.I.....	"	28	No action taken .			
Crib and pile work wharf	Lennox Island, P.E.I.....	"	28	No action taken..			
Concrete Extension to Government Pier.	Colchester, Ont....	March	4	No action taken..			
Armoury Building . . . . .	Fraserville, Que.....	"	7	No action taken .			
Rubble Mound Extension....	Negro Point, N.B....	"	8	No action taken .			
Extension to wharf.....	St. Charles de Caplan, Que....	"	21	May 31, 1910	14,933 00	NI	105
Pilework wharf....	Angers, Que.....	"	24	May 31, 1910			
Pilework breakwater..	Tracadie Harbour, P.E.I. . . . .	"	30	May 31, 1910			
Extension to wharf.....	New Richmond, Que . .	"	30	May 31, 1910			
Deep water wharf...	Levis, Que....	"	31	May 31, 1910			



DEPARTMENT OF LABOUR, CANADA,  
STATISTICAL TABLES, X, A. R., No. 13.  
LIST OF CONTRACTS FOR WHICH FAIR WAGES SCHEDULES WERE REQUESTED BY THE DEPARTMENT OF RAILWAYS AND CANALS, AND PREPARED BY THE DEPARTMENT OF LABOUR, ALSO AMOUNT OF CONTRACT, DATE AT WHICH AWARDED AND WHERE FAIR WAGES SCHEDULE PUBLISHED, FOR THE FINANCIAL YEAR ENDING MARCH 31, 1910.

Nature of Work.	Locality.	Date at which schedules supplied by Department of Labour.	Date of Contract.	Amount of Contract.	Issue of <i>Labour Gazette</i> in which Fair Wages schedule was published.
Winches for Gate lifting Scows.	Soulanges Canal, Que.....	April 23	June 3, 1909	\$ 660 00	Vol. X Page 116
Oil House.....	Moncton, N.B....	May 15	Not carried out.....		
Building for baggage..	Hampton, N.B....	" 15	Sept. 1, 1909	600 00	X 505
Rest House for Intercolonial Railway.....	Point Tupper, N.S....	" 15	Sept. 1, 1909	1,350 00	X 505
Stone protection along certain portions..	Welland Canal, Ont.....	" 15	June 9, 1909	Schedule rates.	X 253
Certain work on Intercolonial Railway.	Cross Creek, N.B.....	" 15	Work done by day.....		
"	Marysville, N.B.....	" 15	Work done by day.....		
"	St. Octave, Que.....	" 15	Work done by day.....		
"	Boiestown, N.B.....	" 15	Work done by day.....		
"	Doaktown, N.B.....	" 15	Work done by day.....		
"	Blackville, N.B....	" 15	Work done by day.....		
"	Salmon Lake, Que.	" 15	Work done by day.....		
"	Indiantown, N.B.....	" 15	Work done by day.....		
"	Sayaber, Que.	" 15	Work done by day.....		
Pipe Line.....	Sussex, N.B.....	" 15	Sept. 1, 1909	Schedule rates.	X 505
New tank and bore hole.	Rogersville, N.B.....	" 15	Oct. 28, 1909	9,600 00	X 586
Pipe line and water column...	Harcourt, N.B.....	" 15	Sept. 1, 1909	Schedule rates.	X 505
Pipe line and tank..	Cedar Hall, Que.	" 15	Oct. 28, 1909	9,600 00	X 586
Water tank..	Beaver Brook, N.B.....	" 15	Oct. 28, 1909	9,600 00	X 586
Line of Railway..	Ste. Flavie to Matane, Que	" 21	July 22, 1909	2	X 376
Addition to Engine House.	Rivière du Loup, Que.....	" 21	Nov. 8, 1909	16,525 00	X 716
Water tank..	Windsor Junction, N.S.	" 21	Oct. 28, 1909		X 586
Roller lift Bridge.....	Lachine Canal, Que..	" 21	July 15, 1909	9,650 00	X 253
Engine House..	Dalhousie, N.B.....	" 22	Work done by day.....		
Addition to Freight and Baggage Shed	St. Paschal Que. ....	" 26	Oct. 1, 1909	1,425 00	
Freight Shed...	Lac au Saumon, Que....	" 26	Nov. 8, 1909	695 00	X 716
Station Building.....	Little Metis, Que.....	" 26	Cancelled..		
Equipment of Oil House.....	Halifax, Kempt Road, N.S.....	June 2	Sept. 1, 1909	2,763 00	X 504
Baggage, Coal and Oil Building.....	Pic, Que. ....	" 2	Not carried out.....		
"	L'Islet, Que.....	" 2	Not carried out.....		
"	Montmagny, Que..	" 2	Not carried out.....		
"	Aston Junction, Que.	" 2	Sept. 1, 1909	1,087 90	X 505
"	St. Alexandre, Que.....	" 2	Not carried out.....		
Toilet accommodation.....	Dorchester, N.B....	" 2	Dec. 11, 1909	386 00	X 818



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Baggage Room...	Hampton, N.B.	Sept. 1, 1909.	800 00	587
Freight Shed...	Marysville, N.B.	Work done by day....		504
Baggage, Coal and Oil Building.....	St. Anaclet, Que.	Not carried out .....		252
Addition to Freight Shed and hot water heating	New Glasgow, N.S.	Oct. 29, 1909.	775 00	
Addition to Freight Shed and hot water heating..	Merigonish, N.S.	Aug. 4, 1909.	785 00	
Line of Railway...	Port Hawkesbury to St. Peters, N.S	July 7, 1909	1	
Combined Station, Dwelling, Freight and Baggage Room...	Daveluyville, Que.	Oct. 5, 1909	6,365 00	
Addition to Freight Shed..	Rivière du Loup, Que.	Feb. 15, 1910	1,885 00	
Hot water heating in Station.....	Macan, N.S	Aug. 10, 1909	660 00	
Additional freight accommodation.....	St. Alexis, Que.	Nov. 17, 1909	590 00	
Steel Highway Bridge...	Kingston Mills, Ont.	July 22, 1909	1,340 00	
Abutments and approaches to Bridge	Kingston Mills, Ont.	July 20, 1909	Schedule rates.	
Station Building.....	Cross Creek, N.B.	Jan. 10, 1910	2,300 00	
Addition to Freight Shed Wharf	North Sydney, N.S.	Oct. 11, 1909	2,475 00	
Rebuilding North Pier, Upper Entrance	Sault Ste. Marie Canal, Ont.	Sept. 18, 1909	Schedule rates.	
Macadamizing Road.....	Welland Canal, Lock No. 2, Ont.	Sept. 23, 1909	1,439 00	
Extension of Line of Railway.....	Hungry Bay Dyke, Que	Oct. 5, 1909	Schedule rates....	
Steel Highway Bridge...	St. Georges to Ste. Justine, Que	Dec. 7, 1909.	1	
Wiring of Freight Shed....	Sackville, N.B.	Work done by day....	\$7.25 per sq. foot.	
Construction of New Gates.....	Sault Ste. Marie Canal, Ont	Oct. 16, 1909		
Addition of Stalls to Engine House	Chaudière Junction, Que.	Not carried out.....	Schedule rates..	
Extension of walls across Washout, No. 3 Bank	Cornwall Canal, Ont.	Nov. 10, 1909	Schedule rates.	
Widening channel of Canal.....	Sault Ste. Marie, Ont.	Oct. 23, 1909		
Line of Railway..	Cowitchan Bay to Cowitchan Lake, B.C	No action taken..		
Railway Bridges (26).....	From Paspébiac to Gaspé, Que	Oct. 20, 1909	250,000 00	
Relaying Steel plate on Dam, Rideau Canal	Black Rapid, Ont.	Nov. 4, 1909	3,990 00	
New Dam on Trent Canal.....	Burleigh Falls, Ont.	Dec. 14, 1909	Schedule rates...	
Substructure of New Bridge.....	Quebec, Que	Jan. 10, 1910	Schedule rates....	
Line of Railway..	Near Plaster Rock, N.B.	Dec. 14, 1909	2	
Line of Railway..	Thessalon to Sault Ste. Marie Branch, Ont	April 19, 1910	General clause....	
Steel work, Power House on Canal	Welland Canal, Ont..	Jan. 10, 1910	11,950 00	
Steel Pontoon Gate Lifter.....	Renous River, N.B.	March 15, 1910	1,700 00	
Station Building.....	Chambly, Que.	Dec. 27, 1909	1,750 00	
Line of Railway, from La Tuque to.	La Tuque Falls, Que.	Jan. 10, 1910	1	
Buildings on Prince Edward Island Railway	Harmony to Elmira, P.E.I.	May 16, 1910	Schedule rates....	
Derrick Scow for Soo Canal..	Sault Ste. Marie, Ont.	June 9, 1910	10,583 00	
Diversion of Intercolonial Railway Line .....	Chatham, N.B.	Not yet signed.	2,475 00	
Removal of wreckage of old bridge	Quebec, Que	April 9, 1910	45,000 00	
Improvement of approach to St. Gabriel Locks	Lachine Canal, Que..	March 23, 1910	Schedule rates..	
Line of Railway in connection with Intercolonial Railway...	George's River to Sydney Mines, N.S.	April 20, 1910	Schedule rates	
Section No. 4, Trent Canal	From Glen Ross to Campbellford, Ont	June 22, 1910	Schedule rates	
Section No. 6, Trent Canal, Ont	From Crow Bay to Heeley Falls, Ont.	May 23, 1910	Schedule rates....	
Improving Upper Entrance to Lock, No. 17	Cornwall Canal, Ont.	June 1, 1910	Schedule rates....	
Station Building.....	Beaurivage, Que.	Not yet signed.....	2,475 00	
Bascule Bridge over Trent Canal.	Lindsay, Ont.	April 6, 1910.	14,600 00	

<sup>1</sup>\$3,200 per mile not exceeding \$6,400 per mile.<sup>2</sup>No reports received from the Department of Railways & Canals.



DEPARTMENT OF LABOUR, CANADA,  
STATISTICAL TABLES, X. A. R., No. 14.

LIST OF CONTRACTS FOR WHICH FAIR WAGES SCHEDULES WERE REQUESTED BY THE DEPARTMENT OF MARINE AND FISHERIES, AND PREPARED BY THE DEPARTMENT OF LABOUR, ALSO AMOUNT OF CONTRACT, DATE AT WHICH AWARDED AND WHERE FAIR WAGES SCHEDULES PUBLISHED, FOR THE FINANCIAL YEAR ENDING MARCH 31, 1910.

Nature of Work.	Locality.	Date at which schedules supplied by Department of Labour.	Date of Contract.	Amount of Contract.	Issue of <i>Labour Gazette</i> in which Fair Wages schedule was published.
		1909		\$	cts.
Lifeboat House.....	Richibucto Beach, N.B...	April 10	April 23, 1909	695 00	IX 1,361
Lighthouse Tower.....	McNeil's Beach, N.S.....	" 23	May 17, 1909	780 00	X 376
Lighthouse Tower.....	St. Peter's Island, N.S.....	June 2	June 29, 1909	1,350 00	Not published.
Dwelling for Fog Alarm Engineer..	Peck's Point, N.B.....	" 17	July 29, 1909	1,940 00	X 587
Concrete Lighthouse Tower	Burlington Beach, Ont.	July 21	.....Work done by day labour.....		Not published.
Lifeboat House.....	Escuminac, N.B....	Sept. 20	Oct. 7, 1909	855 00	X 1,324
Lifeboat House.....	Toronto Harbour, Ont.....	Oct. 4	Oct. 11, 1909	1,750 00	X 924
Fish Hatchery.....	Cowichan Lake, B.C.....	" 18	.....Work done by day labour....		Not published.
Wooden Coal Shed.....	Cape Sable, N.S.	Feb. 24	.....Work done by day labour.....		Not published.
Cribwork Pier Pole Light on Magdalen Island	Grand Entry Harbour, Que.	" 24	March 17, 1910	704 00	X 1,324
Wooden dwelling and boat house...	Escuminac, N.B....	" 24	March 24, 1910	1,925 00	X 1,324
Wooden Lighthouse Tower.....	Point Sapin, N.B..	March 7	April 1, 1910	448 00	XI 106
Dwelling for lightkeeper...	Portneuf, Saguenay Co., Que	" 7	April 11, 1910	1,650 00	XI 106
Lighthouse and dwelling and boathouse	Island No. 10, Lake Superior, Ont.....	" 22	Not yet awarded		



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DEPARTMENT OF LABOUR CANADA,  
Sessional Paper No. 36.

LIST OF CONTRACTS FOR WHICH TRADE WAGES SCHEDULES WERE REGISTERED IN THE DEPARTMENT OF MINES AND TECHNICAL AND PREPARED BY THE DEPARTMENT OF LABOUR. THE SCHEDULES ALSO AMOUNT OF CONTRACT DATE AT WHICH AN ORDER AND WHICH TRADE WAGES SCHEDULES PUBLISHED FOR THE FINANCIAL YEAR ENDING MARCH 31, 1910.

Name of Work	Location	Date at which schedule prepared by Department of Labour	Work done by day la bout	Amount of Contract.	Total cost of work in whole, including wages payable	Vol.	Page
Wages and hours for all trades		1909					
Certain work at Rifle Range.	Quebec, Que.	April 2	Work done by day la bout	6 000 00			
Certain work.	Blackliffe, Ont., near Ottawa, Ont.	May 15	Nov. 12, 1910				
Certain work.	Blackliffe, Ont., near Ottawa, Ont.	Nov. 30	Work done by day la bout	3 727 00			
Certain work.	Blackliffe, Ont., near Ottawa, Ont.	Dec. 6	Nov. 12, 1909	2 750 00			
Certain work.	Blackliffe, Ont., near Ottawa, Ont.	Jan. 17	Nov. 12, 1910	4 425 00			
Certain work.	Blackliffe, Ont., near Ottawa, Ont.	Jan. 21	Work done by day la bout				
Certain work.	Blackliffe, Ont., near Ottawa, Ont.	Feb. 21	Work done by day la bout				
Certain work.	Blackliffe, Ont., near Ottawa, Ont.	March 10	Work done by day la bout				
Certain work.	Blackliffe, Ont., near Ottawa, Ont.	March 11	Work done by day la bout				
Certain work.	Blackliffe, Ont., near Ottawa, Ont.	March 20	Work done by day la bout				



LIST OF SUPPLIES FURNISHED THE POST OFFICE DEPARTMENT BY CONTRACT OR OTHERWISE, UNDER CONDITIONS FOR THE PROTECTION OF THE LABOUR EMPLOYED, WHICH WERE APPROVED OF BY THE DEPARTMENT OF LABOUR DURING THE FINANCIAL YEAR ENDING MARCH 31, 1910.

Nature of Order.	Amount of Order.
	\$ cts.
Making and repairing metal dating and other stamps and type, and brass crown seals.....	8,581 13
Making and repairing rubber dating and other hand stamps and type.	925 12
Supplying stamping material, inclusive of making and repairing pads, also wooden boxes, and post marking and cancelling ink.....	9,926 17
Making and repairing post office scales.....	2,863 75
Supplying mail bags.....	26,549 50
Repairing mail bags.....	16,887 92
Repairing mail locks, and supplying mail bag fittings	18,267 84
Supplying portable letter boxes and repairing parcel receptacles, portable tin boxes, and railway mail clerks' tin boxes.....	12,263 67
Miscellaneous orders for making and repairing postal stores.....	660 45
Making up and supplying articles of official uniforms.....	43,331 96
Total.....	\$140,257 51

Investigation of Complaints arising out of Conditions inserted in Government Contracts for the Protection of Labour.

During the past fiscal year the Department of Labour received from twenty-three different sources complaints arising out of alleged non-compliance with conditions inserted in public contracts for the protection of labour, eighteen of which were made the subjects of special investigations by the Fair Wages Officers of the Department. Of the five remaining, one was satisfactorily adjusted on representation to the contractor, of the facts, as communicated to the Department, three were referred to the Departments having control of the contracts for adjustment, and in one instance no action was taken on account of insufficient evidence being furnished. Thirteen of the complaints investigated affected one contract. Two other complaints which were received at the Department a few days prior to the commencement of the fiscal year were also investigated and disposed of, making a total of twenty investigations made by the Fair Wages Officers during the fiscal year ending 31st March, 1910. In every complaint received, special reference was made to the alleged non-payment of proper rates of wages. Four also referred to alleged irregularities in sub-letting portions of contracts and unfair treatment of workmen by sub-contractors. One alleged failure on the part of the contractor to post the Fair Wages Schedule in a conspicuous place on the works, and in another, workmen complained of being compelled to work longer hours than was stipulated in the Fair Wages Schedule.

The occupation of the work-people on whose behalf these complaints were filed were as follows: Carpenters, 16, stonecutters, 2, structural iron



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workers, locomotive engineers, builders' labourers, leather workers on horse goods, lathers, painters and workmen on railroad construction, one each.

Taking into consideration all complaints, either settled or filed, during the year, seventeen of these had to do with work carried out in the Province of Quebec, two with work in the Province of Ontario, one with work in the Province of Manitoba, one with work in the Province of Saskatchewan, and four with work in the Province of British Columbia.

Two complaints related to work being done under contract for the Department of Militia and Defence; one to work being done under contract for the Transcontinental Railway Commission; one to work being done under subsidy agreement with the Department of Railways and Canals, and the remainder to work being performed under contract for the Department of Public Works.

Of the twenty complaints investigated by the Fair Wages Officers, sixteen were reported as being well founded, and the matters in dispute were promptly adjusted, while the remaining four were reported upon adversely to complainants.

The two complaints which had not been investigated at the beginning of the fiscal year were from stonecutters in the city of Quebec. One was in connection with the contract for the Drill Shed School of Gunnery and the other with the contract for St. Roch post office building. Each set forth that the stone-cutting portion of the contracts had been sub-let, and that workmen were not being paid the rate of wages stipulated in the Fair Wages Schedule included in the contracts. Investigation by an officer of the Department showed that in the case of the contract for the Drill Shed School of Gunnery the complaint was without foundation, as stonecutters, while employed in that capacity, had been paid the proper rates of wages. In the case of the contract for St. Roch post office building it was shown that the contractor had sub-let the stone-cutting portion of his contract, and the sub-contractor in turn had let the work to a syndicate of stonecutters of St. Marc des Carriers on a piece-work basis. On representation of the facts being made to the contractors by the officer, the sub-contract was cancelled and the balance of the work executed at Quebec in accordance with the terms of the contract.

During the month of July an investigation was made by one of the Fair Wages Officers into the rates of wages paid to workmen on that portion of the Grand Trunk Pacific Railway under construction, one hundred miles easterly from Prince Rupert, B.C. A statement of the results of this inquiry is printed in Chapter VI.

A complaint from Victoria, B.C., set forth that the contractors for the immigration building at that place were not observing the labour conditions included in their contract in the following particulars: Regarding the posting of the Fair Wages Schedule, sub-letting portions of the contract and in the payment of workmen by sub-contractors. An investigation was made by one of the Fair Wages Officers, who reported that the complaint regarding the posting of the Fair Wages Schedule was not substantiated by the facts, as the schedule was kept posted in the tool-house, (to which all workmen had



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access), and also in the office of the contractors, where the workmen received their wages. In regard to the other complaints it was found that the contractors were quite within their rights in sub-letting portions of the contract, but that one of the sub-contractors was not paying all the carpenters in his employ at the rate set forth on the Fair Wages Schedule for that class of labour. The sub-contractor had just commended his work at the time of the visit of the officer, and as he agreed to pay the rate stipulated in the contract, the matter was satisfactorily settled.

It was alleged that the contractors for the construction of a steel bridge across St. Andrew's Locks, on the Red River, near Winnipeg, Man., were not paying structural iron workers the rate of wages current for the district. The customary schedule of wages was not included in this contract, but in lieu thereof contained the following provisions for the protection of labour:

All mechanics, labourers or other persons who perform labour in the construction of the work hereby contracted for, shall be paid such wages as are generally accepted as current for competent workmen in the district in which the work is being performed, and if there is no current rate in such district then a fair and reasonable rate, and shall not be required to work for longer hours than those fixed by the custom of the trade in the district where the work is carried on, except for the protection of life or property, or in the case of other emergencies. In the event of a dispute arising as to what is the current or a fair and reasonable rate of wages, or what are the current hours fixed by the custom of the trade, it shall be determined by the Minister of Labour, whose decision shall be final.

These conditions shall extend and apply to moneys payable for the use or hire of horses or teams, and the persons entitled to payment for the use or hire of horses or teams shall have the like right in respect of moneys so owing to them as if such moneys were payable to them in respect of wages.

In the event of default being made in payment of any money owing in respect of wages of any mechanic, labourer or other person employed on the said work, and if a claim therefor is filed in the office of the Minister of Public Works and proof thereof satisfactory to the Minister is furnished, the Minister may pay such claim out of any moneys at any time payable by His Majesty under such contract, and the amounts so paid shall be deemed payments to the contractors.

Investigation was made by one of the Fair Wages Officers, who reported that the complaint was unfounded and recommended that no action be taken. The claim was set forth that the minimum rate of wages to which that class of labour was entitled should be 40 cents per hour. The result of the investigation showed that the rates of wages paid to structural iron workers in Winnipeg and vicinity at that time varied from 30 cents to 45 cents per hour, with the largest percentage receiving a rate of 35 cents per hour. No further action was taken.

In connection with the contract for the construction of the Montreal Post Office Annex, complaints against the contractors to the number of thirteen, alleging under-payment of workmen, were received during the year. Of the



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complaints twelve were carpenters, and one a builders' labourer. Eleven were made the subject of special investigation by one of the Fair Wages Officers and two were referred for adjustment to the Department having control of the contract. In each of the cases statutory declarations were filed in support of the claims made. The rates of wages for carpenters and builders' labourers stipulated in the Fair Wages Schedule inserted in the contract were 30 cents and  $22\frac{1}{2}$  cents per hour respectively. It was admitted by the contractors that the complaining carpenters had been paid at the rate of 25 cents per hour and the builders' labourer at the rate of 20 cents per hour. The reports of the officer recommended in each case that payment be made to complainants of the difference between what they had received and what they should have received had payment been made in accordance with the terms of the contract, being in the case of carpenters, five cents per hour, and in the case of builders' labourers two and one-half cents per hour. As a result of these investigations the contractors were required to pay the following amounts to the individual complainants: On 1,649  $\frac{1}{2}$  hours' work, at 5 cents per hour, \$82.47; on 1,255  $\frac{1}{2}$  hours' work, at 5 cents per hour, \$62.77; on 1,395 hours' work, at 5 cents per hour, \$69.75; on 1,431  $\frac{1}{2}$  hours' work, at 5 cents per hour, \$71.57; on 456 hours' work, at 21  $\frac{1}{2}$  cents per hour, \$11.39; on 1,130 hours' work, at 5 cents per hour, \$56.50; on 937  $\frac{1}{2}$  hours' work, at 5 cents per hour, \$46.85; on 857  $\frac{1}{2}$  hours' work, at 5 cents per hour, \$42.88; on 240  $\frac{1}{2}$  hours' work, at 5 cents per hour, \$12.03; on 409 hours' work, at 5 cents per hour, \$20.45; on 354 hours' work, at 5 cents per hour, \$12.70; being a total of \$489.36.

An investigation was made into the complaint forwarded to the Department by certain carpenters against the contractors for the Post Office building at Welland, Ont., but as the complainants failed to come forward and make good their claims, it was impossible to proceed with the investigation. The workmen employed on the building had no complaint to make, and as the complainants failed to produce sufficient evidence to warrant further investigation the officer recommended that no further action be taken.

Two complaints were received from Fernie, B.C., alleging that the contractors for the construction of the Post Office building at that place (1) were paying lathers at a rate below that which was current at Fernie, and (2) that certain painting was being executed under unfair conditions. In the case of the lathers a settlement satisfactory to complainants was effected on representation of the facts as communicated to the Department being made known to the contractors. The complainant on behalf of the painters was requested to provide the Department with further information regarding the complaint, but as none was received, no action was taken.

Complaint was made on behalf of certain locomotive engineers employed by the contractors for the construction of that portion of the National Transcontinental Railway lying between Quebec Bridge and La Tuque, alleging that they were being paid at a rate below that set forth in the Fair Wages Schedule included in the contract. The complaint was referred to the National Transcontinental Railway Commission for adjustment. At the end of



the fiscal year the matter was still in the hands of the Commission, no decision having been reached.

In connection with the complaint from Regina, Sask., alleging that joiners employed by contractors for the installation of interior fittings into a public building at that place, were not being paid the rate of wages current at Regina, an investigation was made by one of the Fair Wages Officers, who reported that the complaint was well founded, and recommended "that the Department of Public Works be requested to communicate with the contractors and inform them that they must conform to the labour conditions prevailing at Regina, and pay joiners employed on this work at a rate of not less than 33 cents per hour for factory work and 35 cents per hour for the work of installation." The contractors were paying this class of labour at a flat rate of 30 cents per hour. As a basis of settlement the following offer was received from the contractors: "Upon completion of the work for the customs offices here, we will check through the time sheets and issue to each man employed on the work our check covering the difference between what we are now paying and the amount you request us to pay. As this method is quite satisfactory to our employees, we trust it will meet with your approval." The offer was accepted as being satisfactory and no further action was necessary.

A complaint filed on behalf of the International Brotherhood of Leather Workers, Local No. 162, of Ottawa, set forth in general terms "that conditions intended for the protection of labour inserted in certain contracts for leather goods awarded by the Department of Militia and Defence to contractors in Ottawa were being violated." An investigation was made by an officer of the Department, who reported "that while the wages paid to leather workers in Ottawa were low in comparison with those prevailing in other skilled trades, taken as a whole they are undoubtedly the current rates of the city, the only labour conditions imposed in the contracts being the payment of wages generally accepted as current for competent workmen in the district," and this the contractors have obeyed. No further action was taken.

A complaint from Montreal set forth that certain carpenters employed on the construction of a Militia stores building were being paid at the rate of 25 cents per hour, while it was alleged that 30 cents per hour was the prevailing rate for that place. This complaint was investigated by one of the Fair Wages Officers, who reported that there was no Fair Wages Schedule in connection with the contract. This fact was communicated to the Department having control of the contract, when the Department of Labour was requested to prepare a schedule of wages to be used in connection with the completion of the work.



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DEPARTMENT OF LABOUR, CANADA,  
STATISTICAL TABLES, X. A. R., No. 17.

TABLE SHOWING NATURE AND RESULTS OF INVESTIGATIONS MADE BY THE FAIR WAGES OFFICERS DURING THE FINANCIAL YEAR ENDED MARCH 31, 1910.

I.—COMPLAINTS RECEIVED PRIOR TO THE BEGINNING OF THE FISCAL YEAR 1909-10 AND INVESTIGATED DURING THE YEAR.

Complaint received.	Locality and Public Work.	Department affected.	Subject of Investigation.	Disposition.
Mar. 29, '09	Quebec, Que., Drill Shed, School of Gunnery.	Public Works	That the contractors had sub-let the stone-cutting portion of the work and that stonecutters were paid at the rate of \$3.00 per day of 9 hours instead of 40c. per hour for a day of 8 hours, as required by the Fair Wages Schedule.	Complaint investigated by an officer of the Department, who reported that the complaint was unfounded.
Mar. 29, '09	Quebec, Que., St. Roch Post Office.	Public Works	That the contractors had sub-let the stone-cutting portion of the work and that the rate paid to stonecutters was \$2.25 per day, instead of 40c. per hour, as set down in the Fair Wages Schedule.	Complaint investigated by an officer of the Department, who reported that the complaint was well founded, the contractors having sub-let cutting of the stone to a syndicate of journeymen stonecutters of St. Marc des Carriers at a rate below that set forth in the Fair Wages Schedule. A settlement satisfactory to complainants was effected.

II.—COMPLAINTS RECEIVED SINCE THE BEGINNING OF THE FISCAL YEAR 1909-10, AND INVESTIGATED DURING THE YEAR.

April 3, '09	Easterly from Prince Rupert, B.C., Railway construction.	Railways & Canals.	That the rates of wages paid to common labourers and other workmen employed by contractors and sub-contractors on construction of the first hundred-mile section of the Grand Trunk Pacific Railway easterly from Prince Rupert, B.C., were less than the current rates of the District for similar classes of labour.	Complaint investigated by an officer of the Department, who reported that the rates of wages paid were fair and reasonable and should not be interfered with.
April 27, '09	Victoria, B.C., Immigration Building.	Public Works	That the Fair Wages regulations in connection with the work of erecting an immigration building at Victoria were not being observed in the following particulars: (1) That the Fair Wages Schedule was not kept posted in a conspicuous place on the works; (2) that portions of the work had been sub-let; (3) that a certain sub-contractor was paying his workmen at a rate below that set forth in the Fair Wages Schedule inserted in the contract.	Investigation was made by an officer of the Department, who reported as follows on the various complaints: (1) Fair Wages Schedules were posted in tool-house and office of contractors, to which places all workmen had access; no cause for complaint; (2) no cause for complaint; (3) this complaint was justified, but as the sub-contractor complained against had just commenced his work, he agreed to pay workmen at the rates set forth in the Fair Wages Schedule. No further action was necessary.



TABLE SHOWING NATURE AND RESULTS OF INVESTIGATION, &amp;c.—Continued.

Complaint received.	Locality and Public Work.	Department affected.	Subject of Investigation.	Disposition.
May 26, '09	St. Andrew's Lock, near Winnipeg, Man., Bridge across Red River.	Public Works	That the contractors were paying structural iron workers at a rate below that which is current for the district.	Investigation was made by an officer of the Department, who reported that the complaint was not well founded, and advised that no action be taken.
Apr. 28, '09	Montreal, Que., Post Public Works Office Annex.	Post Public Works	That contractors had paid complainants (2) being carpenters and joiners, at the rate of 25c. per hour, while the rate of wages set forth in the Fair Wages Schedule inserted in the contract was 30c. per hour, complainants claiming a further payment of 5c. per hour.	Referred to Department of Public Works.
June 4, '09 S pt. 17, '09 S pt. 20, '09 Dec. 12, '09 Dec. 31, '09 Mar. 24, '10	Montreal, Que., Office Annex	Post Public Works	That contractors had paid complainants, (10) being carpenters and joiners, at the rate of 25c. per hour, while the rate set forth in the Fair Wages Schedule inserted in the contract was 30c. per hour, complainants claiming a further payment of 5c. per hour.	These complaints were severally investigated by an officer of the Department, who reported that they were well founded, and recommended payment in each case of the difference (being 5c. an hour) between what they had received and what they should have received had payment been made in accordance with the terms of the Fair Wages Schedule inserted in the contract.
S pt. 15, '09	Montreal, Que., Office Annex.	Post Public Works	That contractors had paid complainant, being a builders' labourer, at a rate below that set forth in the Fair Wages Schedule inserted in the contract. A claim for overtime was also made.	Investigation was made by an officer of the Department, who reported that complaint was well founded, and recommended payment of the difference between what he had received and what he should have received had payment been made in accordance with the terms of the Fair Wages Schedule.
July 7, '09	Welland, Ont., Office Building	Post Public Works	That contractors were paying carpenters at a rate below that set forth in the Fair Wages Schedule included in the contract.	Investigation was made by an officer of the Department, who reported that complainants had failed to substantiate the complaint, and recommended that no further action be taken.
July 28, '09	Fernie, B.C., Post Office Building.	Public Works	That contractors were paying lather at a rate below that which is current at Fernie.	Settlement satisfactory to complainants effected.
July 31, '09	Fernie, B.C., Post Office Building.	Public Works	That the painting was being executed under unfair conditions.	Complainant requested to furnish the Department with more detailed information. No further action taken.



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Aug. 19, '09	Transcontinental Railroad Construction.	Transcontinental Railroad Commission.	That contractors for the construction of that portion of the National Transcontinental Railway between Quebec Bridge and La Tuque were paying locomotive engineers at a rate below that set forth in the Fair Wages Schedule inserted in the contract.	Investigation was made by an officer of the Department, who reported that the complaint was well founded, and recommended that the contractors be required to pay the rates current in the district.
Sept. 25, '09	Regina, Sask., Interior fittings in public building for customs service.	Public Works.	That joiners employed by contractors were being paid at a rate below that which is current at Regina.	
Nov. 9, '09	Ottawa, Ont., Militia Supplies.	Militia and Defence.	That conditions intended for the protection of labour inserted in contracts for leather goods, awarded by the Department of Militia and Defence to certain firms in Ottawa were being violated.	Investigation was made by an officer of the Department, who reported that the contractors had not violated the terms of their contracts.
Nov. 19, '09	Montreal, Que., Militia Stores' Building.	Militia and Defence.	That carpenters were not being paid the rate of wages current at Montreal.	Investigation was made by an officer of the Department, who reported that there was no Fair Wages Schedule included in the contract. Referred to Department of Militia and Defence.



## IX.—STRIKES AND LOCKOUTS IN CANADA DURING 1909, WITH COMPARATIVE STATISTICS FOR THE YEARS 1901 TO 1909, INCLUSIVE.

While the actual number of strikes and lockouts in existence in Canada during the calendar year 1909 was the same as in the previous year and less than in any other year since 1901, and while there was a great decrease in the number of employees involved, there was an increase of nearly 70,000 days in the number of working days lost as compared with 1908. This was due to two prolonged strikes of coal miners in Nova Scotia, which together caused a loss of about 500,000 days. The total number of disputes in each of the years 1908 and 1909 was 69, compared with 104 in 1901, 123 in 1902, 160 in 1903, 103 in 1904, 87 in 1905, 139 in 1906 and 151 in 1907.

Only three strikes of serious consequence in an industrial sense took place during the year, in all of which coal miners were involved. One of these disputes occurred at various points in the Provinces of Alberta and British Columbia, another at Glace Bay, N.S., and the third at Springhill, N.S.; a strike of importance for other reasons was that of Canadian Pacific Railway longshoremen at Fort William, which is fully dealt with in the portion of this report devoted to special inquiries conducted during the year.

On April 1, about 2,100 men employed in the mines operated by members of the Western Coal Operators' Association in Alberta and British Columbia stopped work, on account of their failure to reach a new agreement with their employers as to working conditions. On May 3, an application on behalf of the employees was received at the Department for the establishment of a Board of Conciliation and Investigation, and the Board was appointed on May 15. A month after the report of the Board was made, on June 30, an agreement was signed by representatives of both parties, following closely the findings of the Board, and work was resumed. This dispute affected the mines at Hosmer, Coleman, Lille, Lethbridge, Bankhead, Hillcrest, Bellevue, Passburg, Canmore, Taber and Frank, and caused the closing down of the British Columbia Copper Company's smelter and mines at Greenwood, B.C.

On July 6, a strike took place at Glace Bay, N.S., on account of the refusal of the Dominion Coal Company to recognize the United Mine Workers of America. About 2,500 men were reported by the Company to have stopped work, but a number of these, who were not in sympathy with the strike, subsequently returned, and some of the strikers sought work elsewhere. The Company continued to operate its mines with a diminished staff, and gradually filled the places of the strikers. Before the end of the year the output of coal was again normal.

On August 10, a strike of 1,700 employees of the Cumberland Railway and Coal Company took place at Springhill, N.S., after their failure to adjust their differences with the Company through a Board of Conciliation and Investigation, which presented its report on July 23. The principal cause of the dispute was the refusal of the Company to recognize the United Mine Workers of America, but the employees also wanted certain changes in the conditions of their employment with regard to the determination of the standard weight of a box of



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coal, the schedule of prices, and the docking system. The mines were closed on account of this dispute until the end of the year, and there were also thrown out of work many of the Company's railway employees, the crews of one tug and seven barges, and a number of wharf hands and trimmers.

## MAGNITUDE OF DISPUTES.

Out of 68 disputes which began in 1909, 4 involved 1,000 or more employees, and 7 involved from 500 to 1,000. Thirty-five disputes, over one-half of the total number, affected less than 100 employees each. The total number of employees involved in trade disputes which began in 1909 was approximately 17,302, compared with 26,250 in 1908 and 34,972 in 1909.

## LOSS OF TIME IN WORKING DAYS.

The loss of time to employees through trade disputes in 1909 was approximately 872,000 working days, compared with a loss of about 718,443 days in 1908, and 613,936 in 1907. These estimates, however, are approximations only, it being impossible to determine the loss with absolute accuracy, through lack of definite information in a number of cases. In some cases, the strikers return to work by degrees, a few at a time, and in other cases their places are gradually filled, while the ranks of the strikers are gradually diminished as they obtain other employment individually. Under such circumstances only a rough estimate can be arrived at after taking into consideration all the facts at the disposal of the Department, and an allowance of about 6 per cent for error would have to be made.

## TRADES AFFECTED BY THE DISPUTES.

Out of 68 disputes which began in 1909, there were 13 in the building trades and 10 in the mining industry and in the clothing trades. There were 9 strikes of unskilled labourers, and 7 strikes in various transportation industries. There were no strikes or lockouts affecting agriculture or printing and bookbinding.

## RESULTS OF DISPUTES CLASSIFIED ACCORDING TO THEIR CAUSES.

A comparison of the results of the trade disputes in relation to their causes shows that out of thirty that arose solely from a demand for higher wages, the employers were successful in fifteen, and the employees in four, although they were partially successful in two others. Compromises were effected in seven of these disputes.

The tables and charts printed herewith give particulars of the strikes and lockouts of 1909, so far as they could be obtained, with comparative statistics for the years from 1901 to 1909, inclusive.

The following table contains a list of all the strikes and lockouts which took place in Canada during the year 1909, arranged according to industries and trades, showing in each dispute the occupation of the workpeople concerned, the locality in which the dispute occurred, the principal cause of the dispute, the method of settlement and the result, the dates of commencement and termination, the approximate number of establishments and employees affected, and the approximate loss of time in working days.

<sup>1</sup> A fuller account of these disputes is given in Chapter VI of this Report.



DEPARTMENT OF LABOUR

CLASSIFIED TABLE OF TRADE DISPUTES IN EXISTENCE IN CANADA DURING 1909.

Occupation	Locality.	Alleged Cause or Object.	Method of Settlement.	Result.	Date of Commencement.	Date of Termination.	No. of establishments affected.	Approximate No. of employees affected.	Approximate loss of time in working days.
FISHING.	Lobster fishermen	Gabarus and Main- dieu, C.B.	Against a reduction of \$1.50 per case of lobsters.	Fishermen packed their own Indefinite....	May 17	June 10	4	300	6,300
	Halibut fishermen	Vancouver	Against employment of non- unionists.	Strike declared off, places of strikers were filled.	June 21	July	1	72	648
LUMBERING.	Lumber mill hands	New Westminster, B.C.	Strikers alleged overseer had not paid them their wages.	Particulars not reported.	Feb. 22	Mar.	1	100	1,400
	Planing mill hands	Etchemin, Que	Against reduction in wages	Particulars not reported. ed.	Aug. 2		1	200	5,200
MINING.	Coal miners	Port Hood, N.S.	For increase in wages.....	Negotiations between parties con- cerned.	Mar. 23	Apr. 12	1	300	5,100
	Coal miners	Hosmer, Coleman, Lille, Lethbridge, Bankhead, Hill- crest, Bellevue, Passburg, Canmore, Taber, Frank, Alta.....	For changes in general condi- tions of labour.	Conciliation under I.D.I. Act, 1907 A compromise....	April 1	June 30	11	2,500	161700
Coal miners Asbestos miners		Middlesboro, B.C. Thetford Mines, Que.	Against discharge of employees. Against terms on which a sys- tem of collective accident in- surance was introduced.	Places of strikers were filled Negotiations between parties con- cerned.	April 28	June 5	1	150	6,450
				Work resumed on promise of Company to discuss objections to scheme after a two weeks' trial.	April 26	May	1	140	1,120
Coal miners	Taber, Alta.....	For change in wages and condi- tions of labour.	Negotiations between parties con- cerned.	A compromise....	April 23	Aug. 2	1	300	25,800
Coal miners	Westville, N.S.	For increase in wages .....	Work resumed without negotia- tions.	In favour of employers. May	5	June 4	1	712	9,412
Coal miners	Glace Bay, N.S.	For recognition of union.	No settlement at end of year. . . . of year.	No settlement at end July 6			1	2,500	283700

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Coal miners....	Inverness, N.S....	For recognition of union....	Work resumed.....	In favour of employers, July	9, July	418	8,450
Coal miners	Springhill, N.S....	For increase in wages and against conditions of employment.	No settlement at end of year....	No settlement at end of year.	10	1,760	209,100
Coal miners....	Edmonton, Alta.	Against discharge of employees.	Conciliation under I.D.I. Act. . .	In favour of employee.	25 Nov.	25	375
BUILDING TRADES.							
Stonecutters.....	Montreal, Que.	Against reduction in wages....	Places of strikers were filled.	In favour of employers.	18 Jan.	30	150
Painters....	Quebec, Que.....	For increase in wages.....	Negotiations between parties concerned.	In favour of employee	3 April	26	1,040
Builders' labourers	Regina, Sask.....	For increase in wages.....	Arbitration.....	In favour of employees	22 May	162	486
Electrical workers.	Vancouver, B.C....	Against employment of non-unionists.	Strikers established a co-operative shop.	Indefinite....	17 May	25	300
Bricklayers, masons and plasterers.	Berlin, Galt, Hespeler, Preston, Ont.	For increase in wages....	Negotiations between parties concerned.	A compromise....	3 June	325	4,550
Carpenters, plumbers, steamfitters and lathers.	Edmonton, Alta....	For increase in wages.....	Negotiations between parties concerned.	A compromise....	8 Aug.	400	21,200
Plumbers	Calgary, Alta.	For increase in wages.....	Negotiations between parties concerned.	A compromise....	July	30	390
Painters..	Kingston, Ont.	Against employment of non-unionist.	Non-unionist joined union	Employer not involved.	16 Aug.	7	7
Carpenters....	Winnipeg, Man....	For increase in wages and other changes.	Negotiations between parties concerned.	In favour of employees	25 Oct.	51	12,125
Electrical workers	Winnipeg, Man.	Failure to reach terms of new agreement.	Negotiations between parties concerned.	A compromise....	5 Oct.	100	6,100
Bricklayers and masons	Peterboro, Ont.	For increase in wages....	Negotiations between parties concerned.	In favour of employees	7 Sept.	20	20
Painters..	Kingston, Ont.	Against employment of a non-unionist.	Negotiations between parties concerned.	In favour of employees	27 Dec.	8	576
Plumbers....	Calgary, Alta.	Refusal of a member of union to pay a fine.	Line was paid and work resumed.	Employer not directly involved.	29 Dec.	13	156
METAL TRADES.							
Bridge and structural steel workers.	Lethbridge, Alta.	Against increase in hours and for higher wages.	Negotiations between parties concerned.	A compromise....	16 Feb.	55	495
Iron moulders....	Guelph, Ont....	For increase in wages....	Negotiations between parties concerned.	In favour of employees	24 Mar.	14	168
Iron moulders.... and coremakers.	Hamilton, Ont....	Against a reduction in wages....	Places of strikers were filled	In favour of employers	22 June	170	12,700
Boilermakers, blacksmiths and steamfitters.	Longue Pointe, Que.	Against new method of payment of wages.	Negotiations between parties concerned.	A compromise....	1 July	160	3,520
Sheet metal workers	Winnipeg, Man....	For increase in wages....	Negotiations between parties concerned.	A compromise....	28 Oct.	160	7,000
WOODWORKING AND FURNISHING TRADES.							
Woodworkers.....	Fredericton, N.B.	Against increase in hours.	Negotiations between parties concerned.	In favour of employers	25 Jan.	20	40
Coopers .....	Winnipeg, Man.	For recognition of union	Particulars not received.	Particulars not received.	11 Dec.	16	704



CLASSIFIED TABLE OF TRADE DISPUTES IN EXISTENCE IN CANADA DURING 1909.—Continued.

Occupation.	Locality.	Alleged Cause or Object.	Method of Settlement.	Result.	Date of Commencement.	Date of Termination.	No. of establishments affected.	Approximate No. of employees affected.	Approximate loss of time in working days.
TEXTILE TRADES.									
Cotton mill hands	Magog, Que.....	For increase in wages and against alleged discrimination against members of union.	Work resumed without negotiations.	In favour of employers	May 3	May	1	908	32,700
Carpet weavers....	Guelph, Ont....	For higher wages for overtime and against conditions of employment.	No settlement at end of year.	No settlement at end of year.	Dec. 11		1	40	680
CLOTHING TRADES.									
Tailors.	Montreal, Que.....	Against employment of a non-unionist	Places of strikers were filled	In favour of employers	Dec. 25 Jan. 1908		1	30	150
Cap workers..	Toronto, Ont..	For "closed shop" and recognition of union.	Work resumed without negotiations.	In favour of employers	Jan. 5 Feb. 29		1	33	1,353
Shoe workers.....	Quebec, Que..	Against employment of a particular person.	Work resumed.....	In favour of employees	Mar. 1 Mar. 9		1	179	1,253
Garment workers..	Winnipeg, Man....	Against "open shop" policy	Places of strikers were filled	In favour of employers	April 12 April		2	123	2,090
Garment workers..	Stratford, Ont.	Refusal of employer to sign an agreement.	Places of strikers were filled	In favour of employer	Jan. 28 Aug. —		1	30	900
Cloakmakers....	Montreal, Que.....	For increase in wages.....	Negotiations between parties concerned.	A compromise....	July 22 Aug. 14		2	108	2,160
Boot and shoe workers	Fredericton, N.B.	Against discharge of employees.	Particulars not reported	Particulars not reported.	July 29 Oct.		1	45	2,475
Garment workers	Ottawa, Ont.....	For increase in wages.....	Places of strikers were filled	In favour of employer	Aug. 24 Sept. 23		1	6	156
Garment workers..	Montreal, Que	Against employment of a non-unionist.	Places of strikers were filled	In favour of employer	Oct. 14 Oct. 18		1	130	520
Tailors. ....	Vancouver, B.C....	For increase in wages. ....	Negotiations between parties concerned.	Strikers partially successful.	Oct. 4 Dec. 3		2	45	1,430
Glove makers.....	Acton, Ont..	Dispute with foreman, followed by demand for increase in wages.	Negotiations between parties concerned.	In favour of employees	Nov. 15 Nov. 22		1	7	51
FOOD AND TOBACCO PREPARATION.									
Cigarmakers.....	Winnipeg, Man....	For increase in wages.....	Places of strikers were filled.....	In favour of employer	June 18 June		1	10	60
Jewish bakers.	Montreal, Que.....	For shorter hours and changes in conditions of labour.	Negotiations between parties concerned.	Strikers partially successful.	July 23 Sept.		4	65	3,835



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LEATHER TRADES.	Victoria, B.C....	For increase in wages and shorter hours.	Partly by negotiations.....	Strikers partially successful.	3 July	3	9	407
Harness makers...	Ottawa, Ont.....	For increase in wages.	No settlement at end of year.....	No settlement at end of year.	14	4	72	4,824
Leather workers...								
TRANSPORT.								
Longshoremen.....	Vancouver, B.C.	For increase in wages....	Work resumed, no negotiations..	In favour of employer.	29 April	1	225	2,700
Teamsters.....	Ottawa, Ont.....	For increase in wages.	Places of the strikers were filled.	In favour of employer.	31 June	1	40	120
Teamsters.....	Laprairie, Que.	For increase in wages.....	Work resumed without negotiations.	In favour of employer.	8 May	1	50	200
Longshoremen.....	Owen Sound, Ont	For increase in wages and fortnightly instead of monthly payment of wages.	Dispute referred to Board under I. D. I. Act.	A compromise.....	7 May	1	250	500
Longshoremen.....	Hamilton, Ont....	For increase in wages.....	Strikers sought work elsewhere.	In favour of employer.	6 July	1	40	80
Freight handlers.....	Port William, Ont.	For increase in wages and abolition of bonus system.	Dispute referred to Board under I. D. I. Act.	A compromise.....	9 Aug.	1	700	4,200
Teamsters.....	Toronto, Ont	Against reduction in wages	Negotiations between parties concerned.	In favour of employees.	6 Aug.	11	200	2,200
UNSKILLED LABOUR.								
Labourers.....	Toronto, Ont	For increase in wages.	Places of strikers were filled	In favour of employer.	4 May	1	50	150
Tunnel workers.....	Windsor, Ont.....	For increase in wages.....	Negotiations between parties concerned.	A compromise.....	2 April	1	550	2,200
Labourers.....	Ottawa, Ont.....	For increase in wages.....	Places of strikers were filled	In favour of employer.	4 June	1	100	600
Labourers.....	Hamilton, Ont....	For increase in wages.....	Negotiations between parties concerned.	A compromise.....	2 June	1	250	500
Tunnel workers....	Windsor, Ont.....	For increase in wages.....	Places of strikers were filled	In favour of employers	1 June	1	200	1,000
Labourers.....	Woodstock, Ont..	For increase in wages.....	Negotiations between parties concerned.	In favour of employer	7 July	1	28	184
Labourers.....	Quebec, Que.....	For increase in wages.....	Negotiations between parties concerned.	Strikers partially successful.	6 July	1	35	35
Labourers.....	Biantford, Ont..	For increase in wages.....	Work resumed without negotiations.	In favour of employer.	4 Aug.	1	30	30
Labourers.....	Sandwich, Ont....	For shorter hours.....	Places of strikers were filled	In favour of employer.	18 Aug.	1	50	100
MISCELLANEOUS TRADES.								
Chainmen.....	Prince Rupert, B.C	Against reduction in wages....	Particulars not reported.	Particulars not reported.	1 Mar.	1	93	5,270
Glass grinders and bevellers.	Toronto, Ont	For increase in wages.....	Places of strikers were filled	In favour of employer.	14 May	1	19	250



LOCALITIES AFFECTED BY TRADE DISPUTES.

Twenty-six strikes and lockouts were reported to have occurred in the Province of Ontario during 1909, and twelve in the Province of Quebec. Eight took place in the Province of British Columbia, and six in each of the Provinces of Nova Scotia, Manitoba, and Alberta.

CAUSES OF DISPUTES.

Of the sixty-eight strikes and lockouts which began in 1909, thirty-two arose from demands for higher wages. The question of wages also entered into twelve other disputes. Five disputes arose from reductions in wages, compared with fourteen in the previous year. Principles of trade-unionism entered into eleven disputes. Only four strikes and lockouts concerned hours of labour. No sympathetic strikes were reported.

METHODS OF SETTLEMENT.

Of the sixty-nine disputes in existence during 1909, twenty-one were settled through negotiations between the parties concerned, compared with fourteen in 1908, one strike was settled by arbitration and four by conciliation. In twenty cases the places of strikers were filled, and in eight, work was resumed without negotiations.

RESULTS OF DISPUTES.

Of the sixty-nine disputes in existence during 1909, twenty-six ended in favour of the employers and ten in favour of the employees, while a compromise was reached in fifteen disputes, and the employees were partially successful in four disputes, some of their number having been granted their demands.

NUMBER AND MAGNITUDE OF TRADE DISPUTES.

The following table illustrates by months the number and magnitude of trade disputes which began during the year 1909.

DEPARTMENT OF LABOUR, CANADA,  
STATISTICAL TABLE, SERIES X. A. R. No. 19.

TABLE SHOWING MAGNITUDE OF TRADE DISPUTES IN CANADA DURING THE CALENDAR YEAR 1909, CLASSIFIED BY MONTHS ACCORDING TO NUMBER OF EMPLOYEES INVOLVED.

Magnitude.	Number of Disputes.												
	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total.
2,000 and over				1			1						2
1,000 to 2,000								2					2
500 to 1,000				1	2	2	1	1					7
300 to 500			1	1	1	2							5
200 to 300			1	1	1			2					5
100 to 200		1	2	3	1	1	2	1		1			12
50 to 100	1	1			2	1	1	1		2	1		10
25 to 50	2				2		6	1				1	12
6 to 25	1	1			2	2		2	2	1	2		13
Total....	4	3	4	7	11	8	11	10	2	4	3	1	68



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Chart No. 1, following page 198 shows the variations from month to month in the number of employees involved in trade disputes during each year from 1905 to 1909, inclusive.

The following table shows the magnitude of trade disputes which occurred in Canada during the past nine years, according to the number of work-people involved.

DEPARTMENT OF LABOUR, CANADA,  
STATISTICAL TABLES X. A. R., No. 20

TABLE SHOWING MAGNITUDE OF TRADE DISPUTES IN CANADA ACCORDING TO NUMBER OF EMPLOYEES INVOLVED DURING THE YEARS 1901, 1902, 1903, 1904, 1905, 1906, 1907, 1908 and 1909

Magnitude.	Year.									Total.
	1901	1902	1903	1904	1905	1906	1907	1908	1909	
2,000 and over	3		5	2		1	3	2	2	18
1,000 to 2,000	3	2	5	3	4	4	10	2	2	35
500 to 1,000	5	1	10	2	5	6	7	4	7	47
300 to 500	5	8	9	9	4	6	9	9	6	65
200 to 300	4	7	18	2	4	15	7	6	4	67
100 to 200	4	15	23	10	15	14	18	7	12	118
50 to 100	14	21	19	15	17	29	28	12	10	165
25 to 50	24	28	34	23	17	32	28	7	12	205
6 to 25	31	37	36	35	21	30	31	16	13	250
Unknown.....	11	4	1	2		1	5	1		25
Total	104	123	160	103	87	138	146	66	68	995

The following table shows the approximate number of employees affected by trade disputes during 1909, according to the month in which they began.

DEPARTMENT OF LABOUR, CANADA,  
STATISTICAL TABLES, SERIES X. A. R., No. 21.

APPROXIMATE NUMBER OF EMPLOYEES INVOLVED IN TRADE DISPUTES WHICH BEGAN DURING THE CALENDAR YEAR 1909.

Month.	Number of Employees Affected		
	Directly.	Indirectly.	Total.
January....	176		176
February.....	339		339
March.....	546	158	704
April.....	3,514	509	4,023
May.	2,513	12	2,525
June.....	1,262	125	1,387
July.	3,529		3,529
August.....	4,091	102	4,193
September.....	28		28
October..	163	100	263
November....	95		95
December.....	28	12	40
Total.	16,284	1,018	17,302



From the above figures it may be seen that the strikes and lockouts of July affected the greatest number of employees compared with other months. Comparatively few were involved in new disputes during the first three and last four months of the year.

About 425 firms or establishments were affected by strikes and lockouts during 1909, of which number 287 were directly affected and 138 indirectly. The following table shows the number involved according to the months in which the disputes began.

DEPARTMENT OF LABOUR, CANADA,  
STATISTICAL TABLES, SERIES X. A. R. No. 22.

APPROXIMATE NUMBER OF FIRMS OR ESTABLISHMENTS AFFECTED BY TRADE DISPUTES IN CANADA, WHICH BEGAN DURING THE CALENDAR YEAR 1909.

Month.	Number of Firms Affected.		
	Directly.	Indirectly.	Total.
January....	5		5
February.....	3		3
March.....	7		7
April.....	19	20	39
May.	19		19
June.....	69	113	182
July.	46		46
August.....	72	5	77
September.....	2		2
October .....	41		41
November....	3		3
December	1		1
Total	287	138	425

DISPUTES BY MONTHS.

The months of May and July showed the greatest number of disputes, eleven out of a total of sixty-eight for the year having begun in each of those months. Taking the past nine years together, the month of May largely preponderates over the other months in this respect, as may be seen from the following table.

DEPARTMENT OF LABOUR, CANADA,  
STATISTICAL TABLES, X. A. R., No. 23.

TABLE SHOWING TRADE DISPUTES IN CANADA BY MONTHS DURING THE YEARS 1901, 1902, 1903, 1904, 1905, 1906, 1907, 1908 AND 1909.

Month.	Number of Disputes.									
	1901.	1902	1903	1904	1905	1906	1907	1908	1909	Total
January...	7	8	6	9	6	12	8	7	4	67
February....	3	5	12	5	4	6	3	6	3	47
March.....	13	12	22	9	6	8	8	5	4	87
April.....	12	20	23	20	8	13	28	9	7	140
May	7	27	29	24	11	28	33	14	11	181
June....	23	18	23	9	12	14	20	6	8	133
July	14	7	15	6	13	8	15	3	11	92
August....	5	6	11	6	8	17	12	6	10	81
September...	5	9	7	3	9	15	8	2	2	60
October.	5	4	6	8	3	3	7	2	4	42
November...	7	7	3	2	3	12	3	2	3	43
December.....	3		3	3	4	2	3	4	1	23
Total.....	104	123	160	103	87	138	146	66	68	995



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The variation in the total number of trade disputes in existence from month to month during the years 1905 to 1909, inclusive, is shown on Chart No. 2, following page 198.

## NUMBER OF DISPUTES ACCORDING TO INDUSTRIES AND TRADES AFFECTED.

The following table indicates the number of disputes in the various industries and trades during the year 1909, according to the month in which they began.

DEPARTMENT OF LABOUR, CANADA.  
STATISTICAL TABLES, SERIES X, A. R. No. 24.

TABLE SHOWING INDUSTRIAL DISPUTES BY INDUSTRIES AND TRADES IN CANADA DURING THE CALENDAR YEAR 1909.

Trades.	Number of Disputes.											
	Jan.	Feb.	Mar.	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
Agriculture.....												
Fishing..					1	1						
Lumbering..		1						1				
Mining and quarrying.....			1	4	1		2	1			1	
Building trades.	1			1	2	2	1	3	2		1	
Metal working and shipbuilding.		3					2					
Wood working and furniture trades.	1									1		
Textile trades.....					1							1
Clothing trades.....	1			1		1	2	1		2	1	
Food and tobacco preparation..						1	1					
Leather trades.....					1					1		
Printing and bookbinding..												
Transport....					1		1	1				
Unskilled labour.				1	1		1	1				
Miscellaneous trades..	1				1							
Total ..	4	4	3	7	11	6	11	10	2	4	3	1

The following table shows approximately the number of employees affected by trade disputes during 1909, according to their respective trades and industries.

DEPARTMENT OF LABOUR, CANADA.  
STATISTICAL TABLES, SERIES X, A. R.; No. 25.

TABLE SHOWING BY TRADES AND INDUSTRIES APPROXIMATE NUMBER OF EMPLOYEES AFFECTED BY TRADE DISPUTES IN CANADA DURING THE CALENDAR YEAR 1909.

Industries and Trades.	Approximate Number of Employees.
Fishing.....	72
Lumbering.....	1,000
Mining.....	8,500
Building trades.....	1,800
Metal trades..	3,000
Wood working trades.	1,000
Textile trades...	1,000
Clothing trades.....	1,000
Food and tobacco preparation.	75
Leather trades ..	80
Transport.....	1,000
Unskilled labour.....	1,200
Miscellaneous trades.	100
Total.	17,332



From the above table it may be seen that 8,795 employees affected by trade disputes were engaged in mining, a far greater number than in any other branch of industry. The building trades came next with 2,580 employees, followed by 1,505 engaged in transport, and 1,293 unskilled labourers.

The following table shows the number of disputes in each trade or industry from 1901 to 1909, inclusive, from which it appears that the building trades, with 233 strikes and lockouts out of a total of 995, rank first in number, followed by the metal industries with 152 disputes, clothing industries with 94 and mining industries with 82.

DEPARTMENT OF LABOUR, CANADA,  
[STATISTICAL TABLES, X. A. R., No. 26.

TABLE SHOWING INDUSTRIAL DISPUTES BY INDUSTRIES AND TRADES IN CANADA DURING THE YEARS 1901, 1902, 1903, 1904, 1905, 1906, 1907, 1908 AND 1909.

Trades.	Number of Disputes.									
	1901	1902	1903	1904	1905	1906	1907	1908	1909	Total.
Agriculture.....	...	...	...	..	2					2
Building.....	14	28	44	29	19	29	45	12	13	233
Metal.....	23	31	17	16	13	21	17	9	5	152
Woodworking and lumbering.....	4	10	9	3	2	12	6	5	4	55
Textile.....	6	1	5	3	1	4	6	6	2	34
Clothing.....	10	9	11	12	11	9	17	5	10	94
Food and tobacco preparation.....	9	10	6	11	4	8	50	1	2	52
Leather.....	1	3	4	1		3	5		2	19
Printing and bookbinding.....	2	3	3	5	7	6	2	1		29
Transport.....	4	4	18	2	4	15	14	7	4	72
Long-horemnen.....	5	4	4	....	1	1	3		3	21
Mining.....	5	3	9	6	12	13	14	10	10	82
Fishing.....	2	1	1	2		1	1		2	10
Unskilled.....	11	6	9	3	2	12	7	8	9	67
Mis-ellaneous.....	8	10	20	10	9	5	7	2	2	73
Total.....	104	123	160	103	87	138	146	66	68	995

The next two tables indicate respectively the number of strikes and lockouts which have occurred since 1901 in mines, transportation agencies and other public utilities, which come under the operation of the Industrial Disputes Investigation Act, 1907, and the number of strikes and lockouts during the same period in other industries, in which 100 or more employees were involved.

DEPARTMENT OF LABOUR, CANADA,  
STATISTICAL TABLES X. A. R., No. 27.

TABLE SHOWING NUMBER OF STRIKES AND LOCKOUTS IN MINES, AGENCIES OF TRANSPORTATION AND COMMUNICATION, AND OTHER PUBLIC UTILITIES IN CANADA DURING THE YEARS 1901 TO 1909 INCLUSIVE.

Industry.	Year.									
	1901	1902	1903	1904	1905	1906	1907	1908	1909	Total
Coal mines.....	2	3	6	4	8	11	9	7	9	59
Metal mines.....	2		1	1	2	2	2	2	1	13
Railways.....	3	4	7	1	2	8	4	4	1	34
Shipping.....	5	7	6		1	3	4	1	3	30
General transport.....			8		2	5	9	2	3	29
Other public utilities.....		1		2		1	2			6
Total.....	12	15	28	8	15	30	30	16	17	171



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DEPARTMENT OF LABOUR, CANADA,  
STATISTICAL TABLES. X. A. R., No. 28.

TABLE SHOWING NUMBER OF STRIKES AND LOCKOUTS IN CANADA AFFECTING ONE HUNDRED OR MORE EMPLOYEES IN INDUSTRIES OF NON-PUBLIC UTILITIES, NOT INCLUDING MINES, DURING THE YEARS 1901 TO 1909, INCLUSIVE.

Industry.	Year.									
	1901	1902	1903	1904	1905	1906	1907	1908	1909	Total
Agriculture.....					2					2
Fishing.....	2		1	1		1	1		1	7
Lumbering.....		1	5	1		4	2	2	2	17
Building trades.....	6	7	11	10	5	10	14	3	6	72
Metal trades.....	4	7	9	2	3	3	6	3	3	40
Woodworking trades.....	2	2	3	1	1	2	1			12
Printing and allied trades.....			2		3					5
Textile trades.....	2	1	1		1	3	4	3	1	16
Clothing trades.....	1		7		5	2	5	4	4	28
Food and tobacco preparation.....	1	1	1	4						7
Leather trades.....							1			1
Unskilled labour.....	1		4			3	3	5	4	20
Miscellaneous trades.....	2	2	4	5			1	1		15
Total.....	21	21	48	24	20	28	38	21	21	242

## DISPUTES BY LOCALITIES AFFECTED.

The following table shows the number of trade disputes which occurred in the different provinces of Canada during 1909, classified according to the months in which they began.

DEPARTMENT OF LABOUR, CANADA,  
STATISTICAL TABLES, SERIES X. A. R., No. 29.

TABLE SHOWING TRADE DISPUTES IN CANADA BY PROVINCES DURING THE CALENDAR YEAR 1909.

Province.	Number of Disputes.												
	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total
Nova Scotia..			1		2		2	1					6
Prince Edw. Isd.													
New Brunswick.	1						1						2
Quebec	1		1	2	2		4	1		1			12
Ontario..	1	1	1	1	4	5	2	6	2	1	1	1	26
Manitoba.....				1		1	1	2		1			6
Saskatchewan..					1								1
Alberta...		1		1		1	1				2		6
British Columbia	1	1	1	1	2	1				1			8
More than 1 province affected				1									1
Total..	4	3	4	7	11	8	11	10	2	4	3	1	68

The next table shows the number of trade disputes which took place in each province during the past nine years, from which it may be seen that out of 995 strikes and lockouts, 469 took place in the Province of Ontario, and 218 in the Province of Quebec.



DEPARTMENT OF LABOUR, CANADA,  
STATISTICAL TABLES, X. A. R., No. 30.

TABLE SHOWING TRADE DISPUTES IN CANADA ACCORDING TO PROVINCES FOR THE YEARS  
1901, 1902, 1903, 1904, 1905, 1906, 1907, 1908 AND 1909.

Locality.	Number of Disputes.									
	1901	1902	1903	1904	1905	1906	1907	1908	1909	Total.
Nova Scotia.....	5	12	7	7	7	11	12	3	6	70
Prince Edward Island.....		2								2
New Brunswick.....	3	7	7	2	5	8	8	6	2	48
Quebec.....	29	20	33	31	21	24	29	19	12	218
Ontario.....	53	65	83	52	32	61	71	26	26	469
Manitoba.....	3	8	1	4	9	9	6	1	6	47
Saskatchewan.....							1	1	1	3
Alberta.....		1	5	1	2	13	6	3	6	37
British Columbia.....	10	8	24	4	10	12	11	6	8	93
More than one province affected.....	1 <sup>1</sup>			2 <sup>2</sup>	1 <sup>3</sup>		2 <sup>4</sup>	1 <sup>5</sup>	1 <sup>6</sup>	8
Total.....	104	123	160	103	87	138	146	66	68	995

<sup>1</sup>Dispute affected all provinces in Dominion with exception of Prince Edward Island.  
<sup>2</sup>First dispute affected Ontario, Manitoba, Saskatchewan and Alberta; second affected same provinces with the addition of British Columbia.  
<sup>3</sup>Dispute took place in Quebec and Ontario.  
<sup>4</sup>One dispute took place in Quebec, Ontario and Manitoba, and the other in Alberta and British Columbia.  
<sup>5</sup>Dispute affected all provinces except Prince Edward Island and Nova Scotia.  
<sup>6</sup>Dispute affected Alberta and British Columbia.

LOSS OF TIME IN WORKING DAYS.

The following table shows the number of working days estimated to have been lost by employees through trade disputes each month during 1909.

DEPARTMENT OF LABOUR, CANADA,  
STATISTICAL TABLES, SERIES X. A. R., No. 31.

TABLE SHOWING LOSS OF TIME IN WORKING DAYS TO EMPLOYEES THROUGH TRADE DISPUTES  
IN CANADA BY MONTHS, DURING 1909.

Month.	Approximate loss of time in working days.
January...	3,500
February...	4,950
March.....	10,500
April.....	72,500
May.....	116,000
June.....	82,550
July.....	89,000
August....	107,500
September.....	113,000
October...	97,500
November.....	96,500
December,.....	78,500
Total.....	872,000

Chart No. 3, following page 198 shows the variation from month to month in the number of working days lost in each of the years from 1905 to 1909, inclusive.  
Of all the various industries, by far the greatest loss of time was in the mining industry, in which there were lost over 711,000 days out of a total of about 872,000 days lost. The building trades came next with a loss of about 47,100 days.



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The following table shows the estimated loss of time in each branch of industry or trade.

DEPARTMENT OF LABOUR, CANADA,  
STATISTICAL TABLES, SERIES X. A. R., No. 32.

TABLE SHOWING LOSS OF TIME IN WORKING DAYS TO EMPLOYEES THROUGH TRADE DISPUTES  
IN CANADA BY TRADES DURING 1909.

Trade.	Approximate loss of time in working days.
Fishing.....	6,948
Lumbering.....	6,600
Mining.....	711,200
Building trades.....	47,100
Metal trades.....	23,883
Woodworking and furnishing trades.....	744
Textile trades..	33,380
Clothing trades..	12,550
Food and tobacco preparation.....	3,895
Leather trades..	5,231
Transport.....	10,000
Unskilled labour.....	4,919
Miscellaneous trades.....	5,520
Total.....	872,000

## CAUSES OF TRADE DISPUTES.

The principal causes of strikes and lockouts which took place in Canada in 1909 are set forth in the following table arranged according to the months in which they began.

DEPARTMENT OF LABOUR, CANADA,  
STATISTICAL TABLES SERIES X. A. R., No. 33.

TABLE SHOWING BY MONTHS THE CAUSES OF TRADE DISPUTES WHICH BEGAN IN CANADA  
DURING 1909.

Cause.	Number of Disputes.											
	Jan.	Feb.	Mar.	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
For increase in wages .....		1	2	2	7	6	6	2	1	2	1	
Against reduction in wages.....	2	1			1			2				
For decrease in hours .....							1	1				
Refusal of member of union to pay a fine..											1	
Against increase in hours.....	1	1										
Against employment of non-unionists .....				1	1	1		1	1	1		
Against employment of persons on other grounds than non-unionism.....		1	1									
Against discharge of employees..				1			1				1	
For "closed shop" and recognition of union ..	1											
Against conditions of employment.....				3								
For recognition of union. ....							2			1		
Against method of payment....							1					
For increase in wages and other changes.					2			4				1
Refusal of employer to sign agreement with foreman.....						1						
Total....	4	4	3	7	11	8	11	10	2	4	3	1



The following table shows the causes of trade disputes which began in each year from 1901 to 1909.

DEPARTMENT OF LABOUR, CANADA,  
STATISTICAL TABLES, X. A. R. No. 34.

TABLE SHOWING CAUSES OF TRADE DISPUTES IN CANADA WHICH BEGAN DURING 1901, 1902, 1903, 1904, 1905, 1906, 1907, 1908 AND 1909, RESPECTIVELY.

Causes.	Number of Disputes.									
	1901	1902	1903	1904	1905	1906	1907	1908	1909	Total.
For increase in wages.....	48	54	60	36	30	55	65	21	36	405
Against reduction in wages.....	10	7	7	7	8	3	3	14	6	65
For decrease in hours.....	1	7	8	3	3	7	11	3	2	45
For increase in wages and decrease in hours.....	5	14	18	8	4	7	8	1	1	66
Against employment of particular persons.....	13	8	13	16	9	13	20	4	8	104
Against conditions of employment....		5	5	4	8	3	5	3	3	36
For recognition of union.....		5	5	4	1	5	3		4	27
Sympathetic....		9	10	3	1	2	2	1		28
Unclassified.....	27	14	34	22	23	43	29	19	8	219
Total.....	104	123	160	103	87	138	146	66	68	995

METHODS OF SETTLEMENT.

The following table illustrates the methods by which trade disputes were settled during 1909, according to the month in which they were terminated.

DEPARTMENT OF LABOUR, CANADA,  
STATISTICAL TABLES SERIES, X. A. R., No. 35.

TABLE SHOWING METHODS OF SETTLEMENT OF TRADE DISPUTES IN CANADA DURING 1909.

Method.	Number of Disputes.												
	Jan.	Feb.	Mar.	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total
Arbitration.....					1							1	2
Conciliation.....					1	1		1			1		4
Negotiations between parties concerned.....	1	1	2	3	1	2	4	3		3	1	1	22
Replacement of strikers.....	2			1	2	6	1	4	2	1			19
Work resumed on employers' terms (without negotiations).....		1		1	1	1	2	1					7
Demands of strikers granted (without negotiations).....									1				1
Work resumed pending investigation.....					1								1
Indefinite, unsettled or not reported.....			2		1	1	1	1		1		6	13
Total....	3	2	4	5	8	11	8	10	3	5	2	8	69

A comparison of the methods of settlement of trade disputes in the years from 1901 to 1909, is given in the following table.



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DEPARTMENT OF LABOUR, CANADA,  
STATISTICAL TABLES, X. A. R., No. 36.TABLE SHOWING METHODS OF SETTLEMENT OF TRADE DISPUTES IN CANADA DURING 1901,  
1902, 1903, 1904, 1905, 1906, 1907, 1908 AND 1909.

Method.	Number of Disputes.									
	1901	1902	1903	1904	1905	1906	1907	1908	1909	Total
Arbitration....	5	6	6	4		3	4	2	2	32
Conciliation.....	6	5	14	5	3	4	7	4	4	52
Negotiations between parties concerned	55	73	77	37	41	67	66	13	23	452
Replacement of men..	13	12	15	10	24	18	26	18	19	155
Work resumed on employer's terms (without negotiations).....	13	20	26	25	12	28	26	23	7	180
Demands of strikers granted (without negotiations).....			19	7	5	3	2	5	1	42
Work resumed (employer not involved)					1	4	5		1	11
Employment found elsewhere by strikers.....						3	3		2	8
Unsettled at end of year.....	12	5	12	13		9	12	1	6	70
Not reported.....		2	1	2	1			3	4	13
Total.....	104	123	170	103	87	139	151	69	69	1,015

Most of the disputes in the above table marked unsettled were terminated in the year following the one in which they are placed.

## RESULTS OF TRADES DISPUTES.

The following table shows the results of the strikes and lockouts which were in existence in Canada during 1909, according to the months in which they were terminated.

DEPARTMENT OF LABOUR, CANADA,  
STATISTICAL TABLES, X. A. R., No. 37.

TABLE SHOWING RESULTS OF TRADE DISPUTES IN CANADA DURING 1909.

Result.	Number of Disputes.												
	Jan.	Feb.	Mar.	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total
In favour of employers.....	2	1	1	2	4	7	4	3	1	1		..	26
In favour of employees	1		1	1	1			1	1	1	2	1	10
Settled by compromise.....		1		1	2	3	2	4		2			15
Employees partially successful....							2		1			1	4
Indefinite, unsettled or not reported.			2	1	1	1		2		1		6	14
Total....	3	2	4	5	8	11	8	10	3	5	2	8	69



The following table contains an analysis of the principal causes of the trade disputes which began in 1909, classified according to their results.

DEPARTMENT OF LABOUR, CANADA,  
STATISTICAL TABLES, X. A. R., No. 38.

TABLE SHOWING CAUSES AND RESULTS OF TRADE DISPUTES IN CANADA DURING THE  
CALENDAR YEAR 1909.

Causes.	Results.					Total.
	In favour of employers.	In favour of employees.	Settled by compromise.	Employees partially successful.	Indefinite, unsettled or terms not reported.	
For increase in wages.....	15	4	7	2	2	30
Against reduction in wages.....	2	1			3	6
For decrease in hours.....	1			1		2
Refusal of member of union to pay a fine.					1	1
Against increase in hours		1	1			2
Against employment of non-unionists	4	1			2	7
Against employment of persons on other grounds than non-unionism.....		1			1	2
Against discharge of employees...	1	1			1	3
For "closed shop" and recognition of union.....	1					1
Against conditions of employment			3			3
For recognition of union. .	1				2	3
Against method of payment.....			1			1
For increase in wages and other changes		1	3	1	2	7
Refusal of employer to sign an agreement with foreman	1					1
Total. ....	26	10	15	4	14	69



## X.—INDUSTRIAL ACCIDENTS IN CANADA DURING 1909 WITH COMPARATIVE STATISTICS FOR THE FIVE PRECEDING YEARS.

According to the statistics relating to industrial accidents collected by the Department during the year 1909, 1,279 fatal and 2,718 serious non-fatal accidents occurred throughout Canada. This shows a slight increase, namely seven, in the number of fatal accidents compared with the preceding year and an increase of 441 in the number of non-fatal injuries. The record, however, is below that of 1907, when 1,353 fatal and 2,752 non-fatal accidents were reported. As in previous years, the summer and autumn months, during which industrial activity is at its height in Canada, show a proportionately higher return of accidents.

The largest number of fatalities, namely 283, occurred in the railway service, agriculture standing second, with 256; mining third, with 160; and lumbering fourth, with 130. It will be remembered that the industries ranked in the same order, from this standpoint, in 1908 and 1907.

Of the non-fatal injuries, the largest number occurred in the metal trades, namely 482; agriculture standing second, with 374; and the railway service third, with 293. In 1908, the railway service stood second and agriculture third, the metal trades standing first as in 1909.

Comparing the record of the year in the several groups, it will be seen that there was a decrease in the number of fatal accidents recorded in the building, food and tobacco preparation, and leather trades, and among civic employees and the classes included under the headings of "general transport," "miscellaneous," and "unskilled labour." In the remaining groups, increases in the number of accidents occurred. In the number of non-fatal injuries increases were shown in all the groups except in the textile trades and under the heading of "miscellaneous."

From the standpoint of possible remedial action a very important portion of the information collected by the Department is that relating to the causes of accidents. A tabular analysis of the causes of the several fatal and non-fatal accidents in the various industries and trades is given below. It will be seen from these tables that in the agricultural industry the largest number of deaths through accident occurred from being run over by vehicles, while the largest number of the non-fatal injuries resulted from falls and from injuries received from machinery and tools. In the fishing industry, drownings made up almost the entire list of fatalities. Drownings also accounted for fifty-one of the 130 fatal accidents occurring in the lumbering industry, while seventy-eight of the 181 non-fatal injuries recorded were received about machinery and engines. Under the heading of mining, explosions caused over thirty-five per cent of the deaths, and over twenty per cent of the non-fatal injuries. Falls accounted for nearly all of the deaths, and over sixty-



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six per cent of the non-fatal injuries in the building trades. The largest number of accidents in the metal, woodworking, clothing, textile, food and tobacco preparation, and leather trades were occasioned by machinery, belting, &c., and by falling material. In the railway service, ninety-three employees lost their lives by being run over by trains, forty-two in derailments, and thirty-one in collisions. The largest number of non-fatal injuries among railway employees were caused by falls from trains and cars, but there were fifty-six such injuries received in derailment, thirty-five in collisions, and thirty from being run over by trains, while thirty-one employees were seriously injured by being struck by falling material. Under the heading of navigation, sixty-two of the ninety-five fatalities reported were drownings, while twenty-six of the ninety-one non-fatal injuries were caused by falls and nineteen by explosions. Falls accounted for thirteen fatal and sixty-seven non-fatal accidents under the heading of general transport. The largest number of fatalities and non-fatal injuries among civic employees, occurred to firemen. Among unskilled labourers twenty-one men were killed by being run over by vehicles and seventeen by falling material; fifty-three of 123 non-fatal injuries were also occasioned by falling material.

The method in which the Department collects statistics for the industrial accidents is described in the annual report of the Department for the fiscal year ended March 31, 1909, page 71.

An important incident of the year, and one that is probably destined to have a far-reaching effect in the prevention of a certain class of industrial accidents, was the investigation carried out by the Department of Mines, Canada, into the general question of the supervision of explosives throughout Canada. For some time past, and especially since the beginning of the extensive railway construction operations at present in progress, there has been an alarming increase in the number of fatalities among workpeople engaged in the handling of explosives. In the mining industry, also, the death rate from this cause has been exceedingly high. By referring to the subjoined tables it will be seen that not less than seventy-two workmen lost their lives from explosives during the past year, and it should be remembered that these statistics are confined to employees killed while in the actual performance of their duties. Legislation bearing on the matter differs considerably in the different provinces, and it is understood that as a result of the investigation above referred to an Act will be introduced at the next session of Parliament to deal in full detail with the manufacture, transportation, storage and use of explosives. At the past session an appropriation of \$10,000 was voted for the purpose of engaging expert assistance in the framing of this legislation and in other matters arising out of the investigation aforesaid.

The following is a statement of the number of fatalities in the several industries and trades caused by explosives during 1909:

Agriculture .....	1
Fishing and Hunting .....	3
Mining .....	31



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Unskilled Labour .....	4
Metal Trades .....	1
Railway Construction .....	22
Public Employees .....	3
Unskilled Labour .....	4
Miscellaneous .....	7
Total .....	72

DEPARTMENT OF LABOUR, CANADA,  
STATISTICAL TABLES, X. A. R., No. 39.

## STATISTICAL TABLE OF FATAL INDUSTRIAL ACCIDENTS IN CANADA DURING THE CALENDAR YEAR 1909.

Trade or Industry.	Number of Accidents according to Months.													Total
	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sep.	Oct.	Nov	De		
Agriculture.....	14	16	12	10	14	29	23	46	18	26	20	28	256	
Fishing and hunting.....	4			9	4	2	1	5		7	2		34	
Lumbering...	10	10	6	4	28	24	6	3	11	3	13	12	130	
Mining.....	6	10	10	9	10	16	6	12	13	46	10	12	160	
Building trades.....	4	2			2	4	6	4	4	5	5	2	38	
Metal trades.....	3	5	5	4	3	6	6	5	6	9	9	16	77	
Woodworking trades.....	1		2	2		1	2	1		1		1	11	
Printing trades.....														
Clothing trades.			1										1	
Textile trades.....				1							2		3	
Food and tobacco preparation	1				1	1			4		1	1	9	
Leather trades.....										1	1		2	
Railway service.....	20	24	31	16	24	23	30	11	16	27	47	14	283	
Navigation.....	2	1	6	8	6	5	5	7	11	7	13	24	95	
General transport...			1		3	7	4	11	5	3	9	7	50	
Civic employees.....			1		1	2	2	1		3	2		12	
Miscellaneous trades.....	4	5	1	2		6	5	12	2	6	5	6	54	
Unskilled labour.....	2	7	3	5	1	4	9	11	4	8	6	4	64	
Total.....	71	80	79	70	97	130	105	129	94	152	145	127	1,279	

DEPARTMENT OF LABOUR, CANADA,  
STATISTICAL TABLES, X. A. R., No. 40.

## STATISTICAL TABLE OF NON-FATAL INDUSTRIAL ACCIDENTS IN CANADA DURING THE CALENDAR YEAR 1909.

Trade or Industry.	Number of Accidents according to Months.												
	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sep.	Oct.	Nov	Dec.	Total
Agriculture.....	36	24	24	24	22	27	33	29	52	40	32	21	374
Fishing and hunting.....				5						2			7
Lumbering.....	11	18	19	11	19	26	13	16	9	9	18	12	181
Mining.....	4	7	4	8	3	18	23	18	13	12	23	14	147
Building trades...	11	5	8	13	32	39	24	26	24	23	25	15	245
Metal trades.....	20	30	40	43	27	39	64	36	33	47	53	50	482
Woodworking trades.....	11	14	9	13	9	28	10	15	10	16	8	15	158
Printing trades.....		6	5	4		1	3	4	2	4	5	1	35
Clothing trades.....	1	1	2		3		1	2	1	2	1	2	16
Textile trades.....	1	3	1	4	2	2	4	1	2	5	5	5	35
Food and tobacco preparation ..	5	8	14	2	1	9	9	5	8	7	10	8	86
Leather trades.....	1		1	2			1		3	1			9
Railway service.....	20	17	23	19	19	26	25	22	11	44	38	29	293
Navigation.....	5	3	1	5	13	32	8	3	2	5	11	3	91
General transport.....	9	7	12	17	18	19	19	25	17	15	19	16	193
Civic employees.....	8	3	11	1	4	8	1	7	3	19	13	13	91
Miscellaneous trades.....	11	9	11	8	7	14	10	16	23	27	12	4	152
Unskilled labour...	10	5	9	7	6	4	10	29	12	15	6	10	153
Total.....	164	160	194	186	185	292	258	264	225	243	279	218	2,718



TABLE SHOWING NUMBER OF FATAL AND NON-FATAL ACCIDENTS IN CANADA BY TRADES DURING THE YEARS 1904 TO 1909 INCLUSIVE.

Trades.	1904		1905		1906		1907		1908		1909		Total	
	Fatal.	Non-Fatal.	Fatal.	Non-Fatal.	Fatal.	Non-Fatal.	Fatal.	Non-Fatal.	Fatal.	Non-Fatal.	Fatal.	Non-Fatal.	Fatal.	Non-Fatal.
Agriculture...	103	121	132	291	176	262	209	295	223	291	256	374	1,099	1,634
Fishing and hunting...	16	1	13	1	15	3	17	4	37	1	34	7	132	17
Lumbering.	69	120	75	155	119	156	129	138	113	115	130	181	635	865
Mining.....	103	117	70	135	119	174	181	226	148	187	160	147	781	986
Building trades.....	43	140	46	131	59	272	33	211	46	219	38	245	265	1,218
Metal trades....	74	393	56	434	69	562	154	570	63	364	77	482	493	2,805
Woodworking trades	12	154	8	150	4	133	8	138	7	116	11	158	50	849
Printing trades.....	.	9	1	19	.	17	1	23	.	12	.	35	2	115
Clothing trades.....	3	21	2	36	2	19	1	24	1	16	1	16	10	132
Textile trades.....	3	23	2	30	■	46	3	41	2	37	3	35	16	212
Food and tobacco pre- paration.....	6	55	9	76	20	79	18	73	14	63	9	86	76	432
Leather trades..	2	4	6	7	3	13	.	3	3	5	2	9	16	41
Railway service.....	272	168	140	238	252	340	342	337	326	316	283	293	1,615	1,688
Navigation* .....	.	.	128	117	117	61	100	74	84	62	95	91	524	405
General transport	113	168	140	234	45	178	55	193	54	132	50	193	457	1,088
Civic employees†	.	.	7	5	5	66	6	80	19	55	22	91	49	297
Miscellaneous trades...	41	178	71	159	56	222	62	168	61	156	54	152	345	1,035
Unskilled labour	30	119	57	143	43	142	34	154	71	130	66	123	299	811
Total..	890	1,791	963	2,357	1,107	2,745	1,353	2,752	1,272	2,277	1,278	2,718	6,864	14,538

\*Included with General Transport in 1904.  
†Only constituted in a distinct group in 1905.

TABLE SHOWING CAUSES OF ACCIDENTS DURING THE YEARS 1904, 1905, 1906, 1907, 1908 AND 1909.  
AGRICULTURE.

Causes of Accidents.	Killed.						Injured.					
	1904	1905	1906	1907	1908	1909	1904	1905	1906	1907	1908	1909
Struck and run over by trains.....	26	19	23	33	24	18	7	10	7	13	8	7
Injured by live stock.....	18	18	29	19	29	24	19	41	45	44	53	47
Falling from vehicles .....	14	27	11	.	.	.	24	54	9	.	.	.
Run over by vehicles.....	3	21	4	10	15	39	6	23	2	6	11	15
Injured by machines and tools	8	14	16	14	17	10	18	43	78	61	40	60
Falling from haylofts, barns, stacks&c	5	13	27	24	21	33	10	22	62	73	51	93
Injured when raising barns.....	4	2	.	.	.	.	7	6	.	.	.	.
Electricity.....	7	3	18	7	13	8	.	.	2	3	6	3
Exposure and cold.....	4	.	6	7	7	15	.	2	2	4	6	4
Struck by falling trees.....	1	8	7	25	.	.	3	11	18	21	.	.
Injured when sawing and chopping wood.....	1	1	1	.	.	.	10	10	1	.	.	.
Injured by cave in of pits, etc.....	2	5	.	.	22	.	1	7	.	.	40	.
Injured when blasting.....	1	.	5	8	9	2	3	3	10	18	13	10
Blood poisoning.....	9	.	3	2	1	1	10	4	.	.	.	.
Burns and scalds..	.	.	1	1	6	9	.	.	.	.	2	1
Drowned.	.	.	8	13	15	22	.	.	.	.	.	10
Injured in runaways.....	.	.	.	28	36	31	.	.	.	28	39	55
Struck by wagon pole.....	.	.	.	1	.	.	.	.	.	.	.	.
Explosion of traction engine	.	.	.	3	.	.	.	.	.	.	.	.
Smothered in snow slide....	.	.	.	7	.	.	.	.	.	.	.	.
Injured by other falling material	.	.	.	2	.	23	.	.	.	15	.	40
Injured by tools.....	.	.	.	2	1	6	.	.	.	6	17	22
Stung by bees.....	.	.	.	1	.	.	.	.	.	1	.	.
Sunstroke.....	.	.	.	.	.	.	.	.	.	1	.	.
Accidentally shot .....	.	.	.	1	.	.	.	.	.	.	.	.
Struck by flying objects..	.	.	.	.	5	2	.	.	.	.	2	2
Collisions.....	.	.	.	.	2	2	.	.	.	.	3	4
Unconscious .....	.	.	.	1	.	.	.	.	.	.	.	.
Asphyxiated .....	.	.	.	.	.	6	.	.	.	.	.	.
Fire arms.....	.	.	.	.	.	5	.	.	.	.	.	1
Total .....	103	132	150	209	223	256	121	241	236	295	291	374



## SESSIONAL PAPER No. 36.

## FISHING AND HUNTING.

Causes of Accidents.	Killed.						Injured.					
	1904	1905	1906	1907	1908	1909	1904	1905	1906	1907	1908	1909
Drowned.....	16	13	15	16	33	31						
Caught in bear trap.....								1				
Attacked by moose..							1					
Injured by falls.....									2			
Contact with ice hook....									1			
Injured by exposure, cold, etc.....				1	4					4	1	
Explosion of gasoline.....						3						7
Total.....	16	13	15	17	37	34	1	1	3	4	1	7

## LUMBERING AND SAWMILLING.

Struck by falling trees.....	17	14	25	20	26		3	15	15	9	11	
Struck by logs.....	4	4	9	11			6	13	7	10		
Injured by dynamite explosion ..	1	2	5	2	1				6	5	6	
Drowned.....	22	13	30	44	39	51						
Frozen.....		2	1				2		2	1		
Falling of logs.....	1		3	4				2	9	8		
Run over by railway cars.....	3	2	3	4	1	7	2		3			13
Struck by wood flying from saws, etc.	5	8	7	12	2	5	4	17	9	2	3	
Struck by falling lumber, etc		2	2			32	5	8	8			42
Struck by axes when chopping trees							11	15	9	4		
Injured by machines and engines	3	8	26	18	21	22	36	33	88	79	48	78
Injured by explosions.....	6	10				3	2	8				10
Injured by saws.....	4	6			1		34	15		1	8	
Injured by bursting of an emery wheel	1	1	5					20				
Crushed between cars.....	1			1			1	1				
Injured by bursting of refuse machine		1										
Overwhelmed in mud slides, etc...	1	2		1	1	1	14	8				
Gunshot wound.....			2	1	1	1						
Falls, general.....				2	3	4					6	12
Run over by dump cart..				1								
Killed by a bear.....				1								
Falling material....				7	12					18	29	
Electricity....										1		5
Unclassified.....			1									
Runaways....					2	1					1	1
Being run over....					4							1
Exposure.....						3					2	2
Live stock.....											1	
Tools.....												17
Total.....	69	75	119	129	113	130	120	155	156	138	115	181

## MINING.

Explosions in mines.....	33	15	20	53	48	34	11	39	42	67	62	17
Falling down mine shafts and chutes	8	5	8	3	22		3	8	9	1	13	
Struck by cars, trips, etc.	8	2	13	25	24	20	3	8	9	1	13	
Struck by falling stone and earth, etc.	14	19	16	10	32	37	18	26	9	5	59	45
Struck by falling coal.....	11	16	32	11			12	18	57	20		
Crushed between cars, car and mine wall, box and pit props, etc.	1	3	7	4		2	10	10	16	17		2
Machinery, belting, etc...	2	2	7	8	4	3		12	14	15	5	9
Falling from scaffolds and trestles	3	2					1					
Falling in various ways not specified	5	1		11		22	6			6		20
Run over by cars....	1	2	4	3	4		2	4	1	2	12	
Struck by falling wood, etc		2		29			2	2	1	60		
Crushed by cave-in	5			2								
Suffocated by gas, etc....	6			2	7	2						11
Drowned.....			2	16	6	8				2		
Struck by snow slides..			6						3			
Kicked by a mule.....									1	2		
Injured by explosives..	3	1	1			31	13	5		1		13
Injured by electric shock.			3	1	1							
Injured by exposure.				2						2		
Caught in a "bump".....				1								
Unclassified.....	13						33	4				
Injured by live stock.....											3	2
Injured by molten metal.....											1	
Injured by passing objects....											1	
Flying material.....						1						4
Total.....	103	70	119	181	148	160	117	135	167	226	187	147



BUILDING TRADES.

Causes of Accidents.	Killed.						Injured.					
	1904	1905	1906	1907	1908	1909	1904	1905	1906	1907	1908	1909
Falling from buildings.....	13	9	4	5	13		23	48	30	17	39	
Falling from scaffoldings, etc.....	5	20	8	2	10		38	78	45	26	98	20
Falling through a floor.....	2							1				
Collapse of building and wall.....	2						10	9				
Falling from a ladder.....							14	5	7			
Falling in various ways not specified	1	3	25	18	7	31	12	1	109	102	21	161
Railway accidents.....	4	4	3	2	1		2		1		1	
Struck by falling stones and bricks.	3	3	1	1			6	21	3			
Struck by falling timber....	1		1				13	15	13	3		
Struck by derricks.....	2	1	1	1	1		1	3	5	3		
Struck by falling metal.....							2	2				
Struck by falling window sash.....		1					2					
Struck by other falling material....	2		2	1	3	1	2	3	20	26	28	29
Injured by elevators and hoists.....	2			1	1		2	1	1	2	4	
Injured by electric shock.....	3	2			5	3	1		1			
Injured by tools.....		1					7	11	3	4		
Drowned.....	2	1	6		3	1		2				
Injured by machinery.....					1	1			17	20	5	17
Burnt to death.....			1									
Injured by explosion.....			3						2	7	16	7
Asphyxiated by gas.....			2			1			1		2	2
Sunstroke or struck by lightning....			2	1					4		1	
Injured by wood projected from saw										1	2	5
Died from lockjaw.....				1								
Unclassified.....	1	1					3	1				
Blood poisoning.....					1						1	
Boiling tar.....											1	
Runaway.....												3
Total.....	43	46	50	33	46	38	138	201	262	211	219	245

WOODWORKING TRADES.

Causes of Accidents.	Killed.						Injured.					
	1904	1905	1906	1907	1908	1909	1904	1905	1906	1907	1908	1909
Injured by machinery, belting, etc.	3	3	2	5	3	6	46	28	118	123	88	112
Injured by saws.....	1		1		1		45	46				
Struck by wood flying from saws, planers, etc.....	3	1	1		2	1	7	6	3	8	12	19
Scalded by boiling water.....	2	1			1		1	1			1	
Injured by elevators and hoists.....	2	1		2			2	4	1	1	1	5
Injured by shapers.....							10	6				
Injured by planers.....							6	15				
Injured by jointers.....							6	9				
Injured by knives.....							4	5				
Injured by other tools.....							3	2				
Injured by cutters.....							3	2				
Injured by sanding disc.....							3	2				
Injured by presses.....							2					
Struck by falling material.....				1		1	3	3	2	5	10	12
Injured by spindle carver.....							1					
Falling from vehicle.....	1							2				
Falling and jumping from a building							2					
Falling in ways not specified.....						1	3	6	4	1	4	5
Railway accidents.....		2						1				
Explosion of boiler.....						1			5			5
Poisoned in error.....						1						
Unclassified.....							7	2				
Total.....	12	8	4	8	7	11	154	140	133	138	116	158

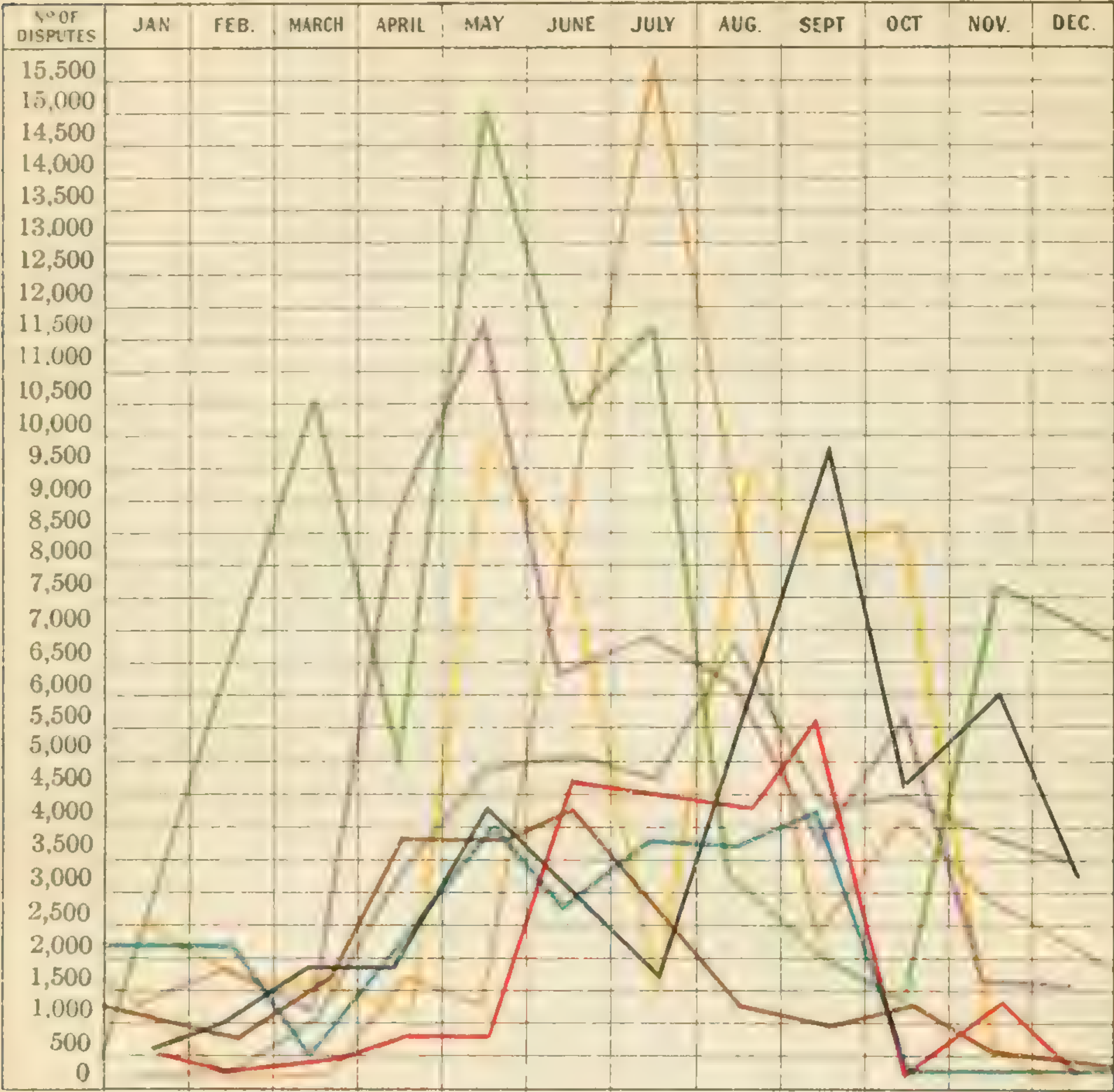


# STATISTICAL CHARTS

Relating to Trade Disputes and Industrial Accidents in  
Canada from 1901 to 1909 inclusive.



CHART SHOWING VARIATION IN NUMBER OF EMPLOYEES INVOLVED IN TRADE  
DISPUTES IN CANADA EACH MONTH DURING 1901 TO 1909, INCLUSIVE.



1901

1906

1902

1907

1903

1908

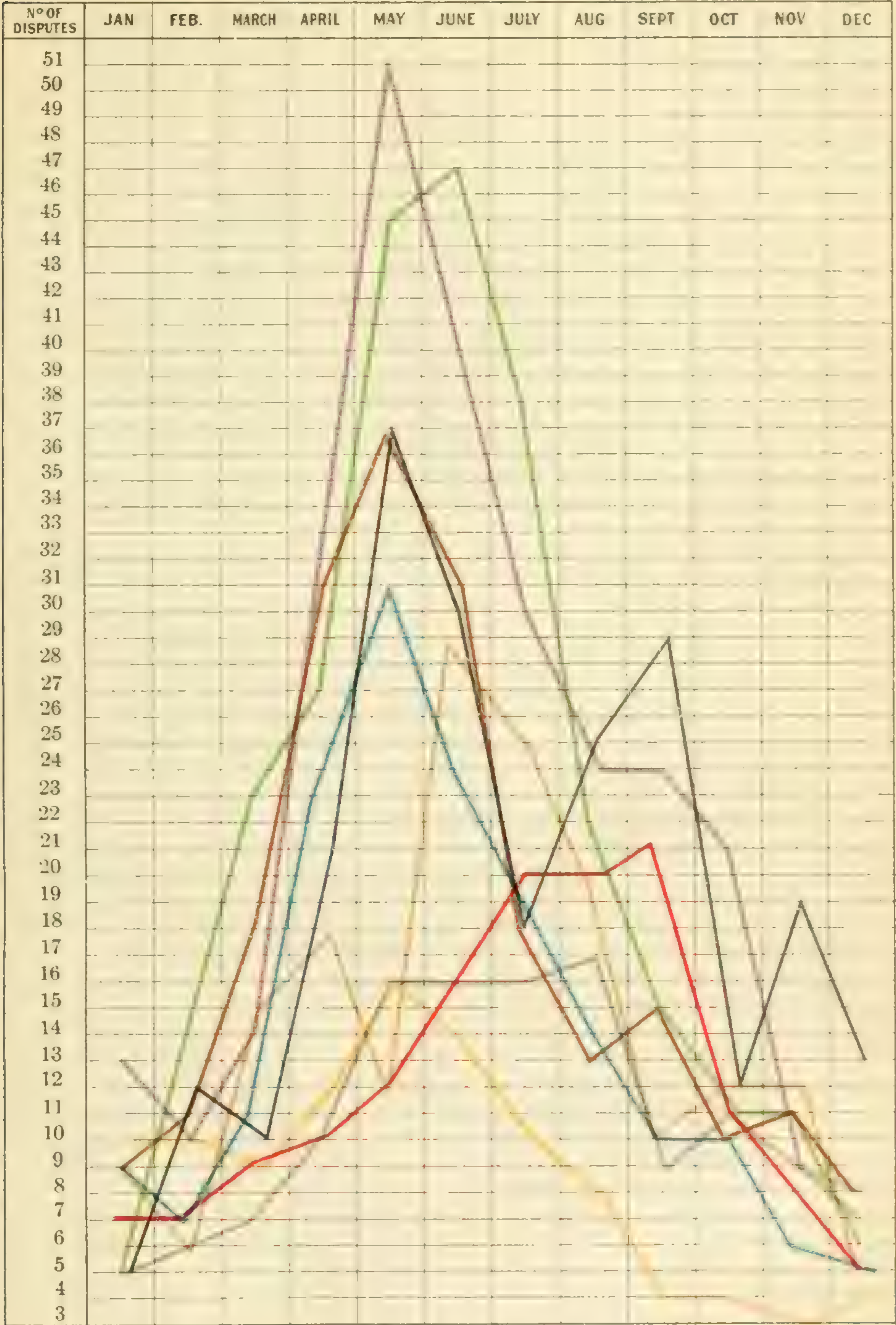
1904

1909

1905



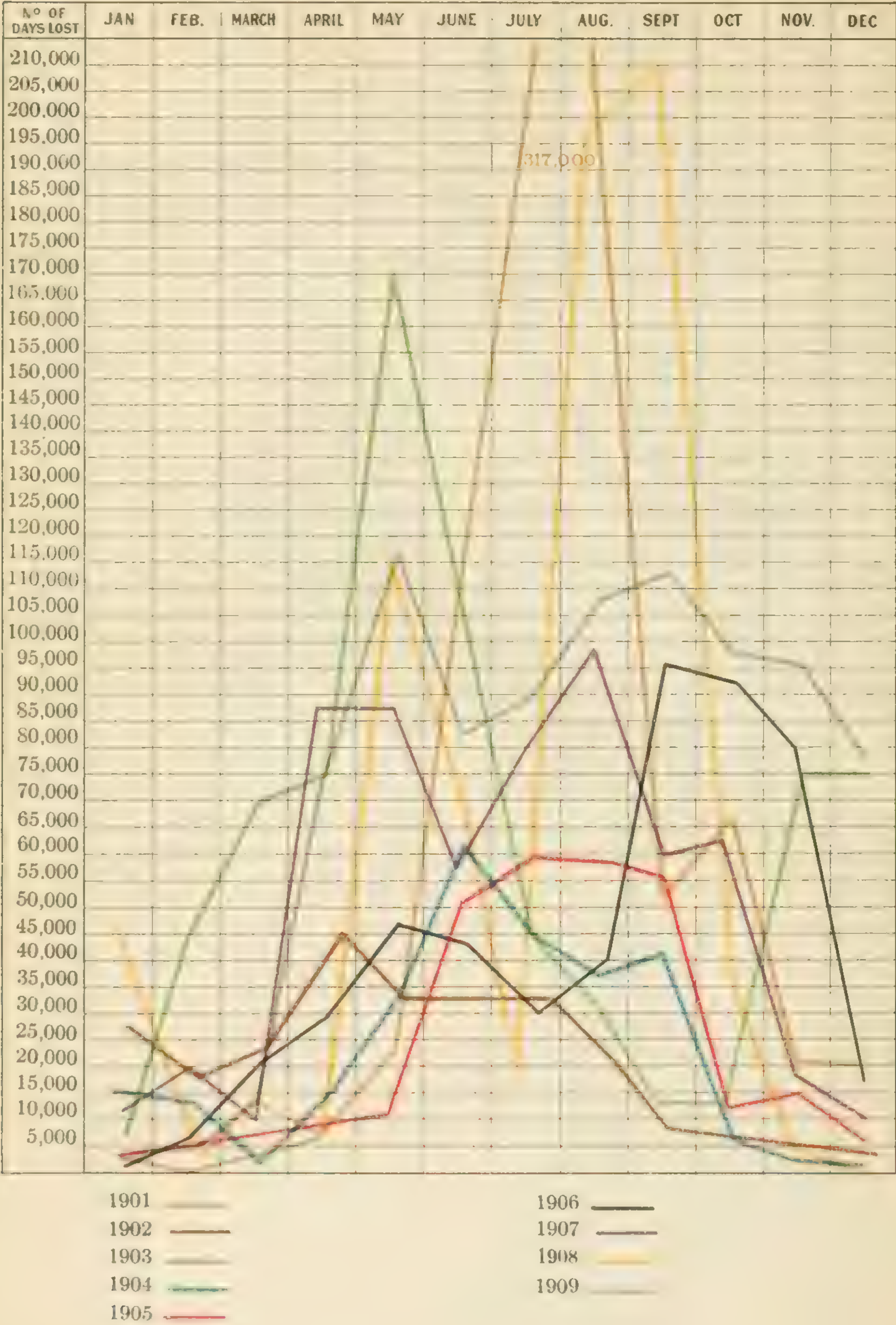
CHART SHOWING VARIATION IN NUMBER OF TRADE DISPUTES IN CANADA EACH MONTH  
DURING THE YEARS 1901 TO 1909 INCLUSIVE.



1901	—	1906	—
1902	—	1907	—
1903	—	1908	—
1904	—	1909	—
1905	—		



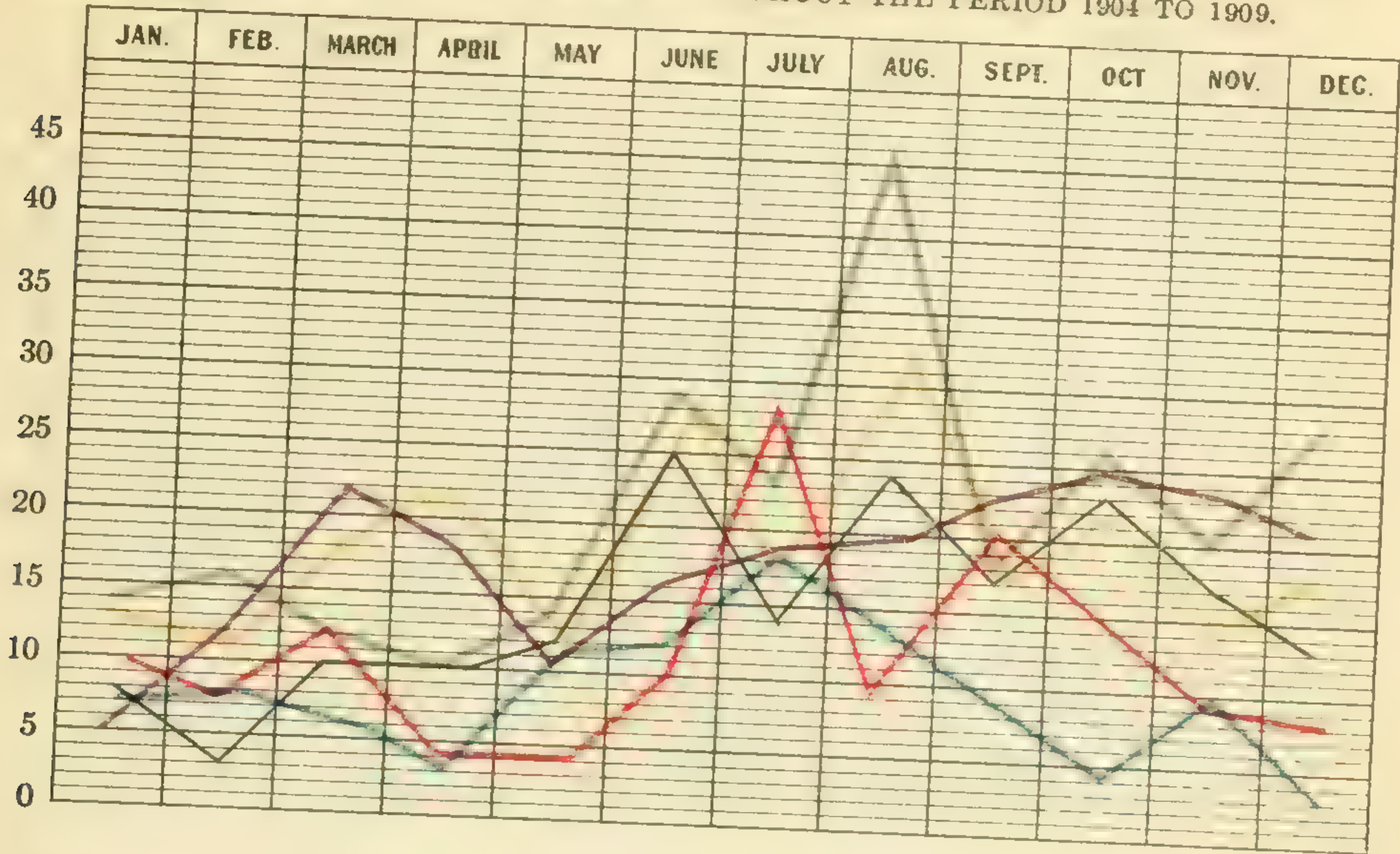
CHART SHOWING LOSS OF TIME IN WORKING DAYS THROUGH TRADE DISPUTES  
BY MONTHS DURING THE YEARS 1901 TO 1909.





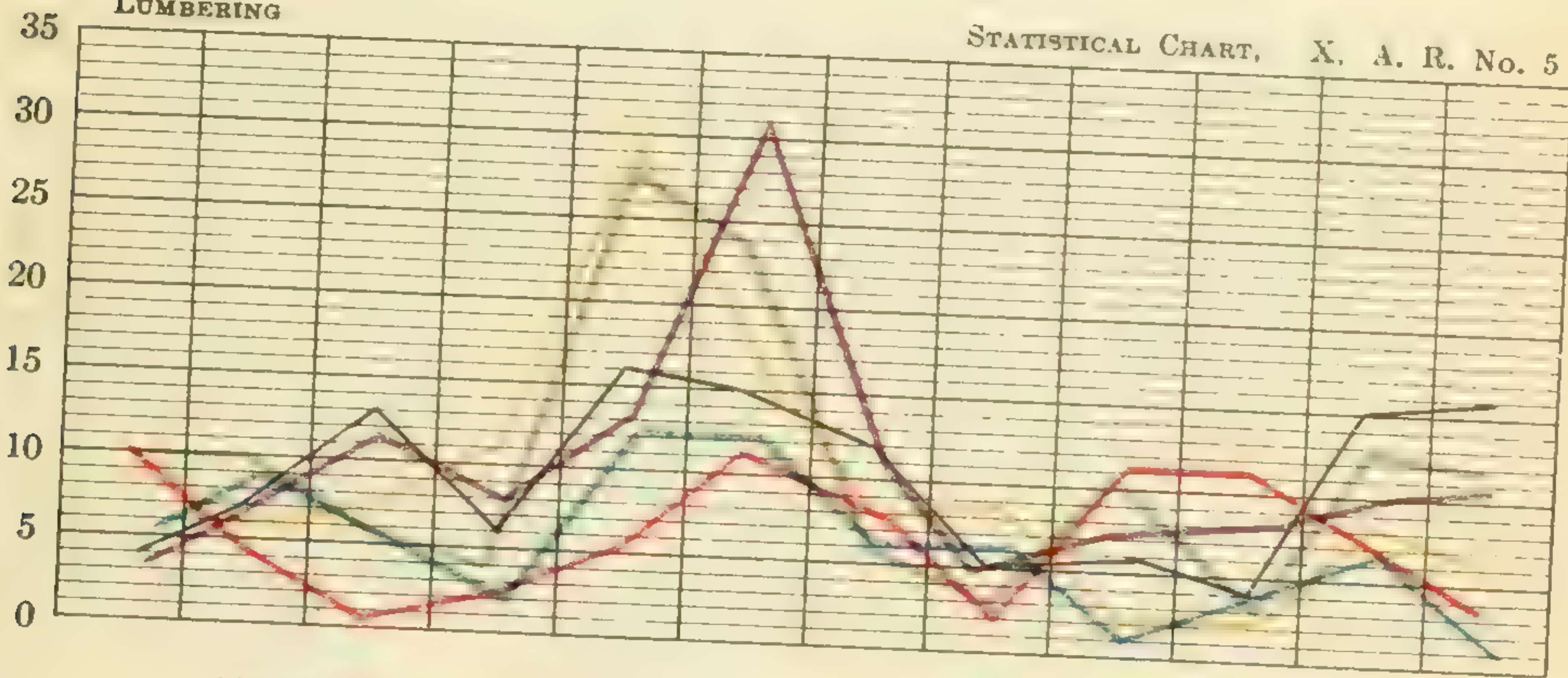
DIAGRAMS SHOWING NUMBER OF FATAL ACCIDENTS BY MONTHS IN VARIOUS  
TRADES AND INDUSTRIES THROUGHOUT THE PERIOD 1904 TO 1909.

AGRICULTURE



LUMBERING

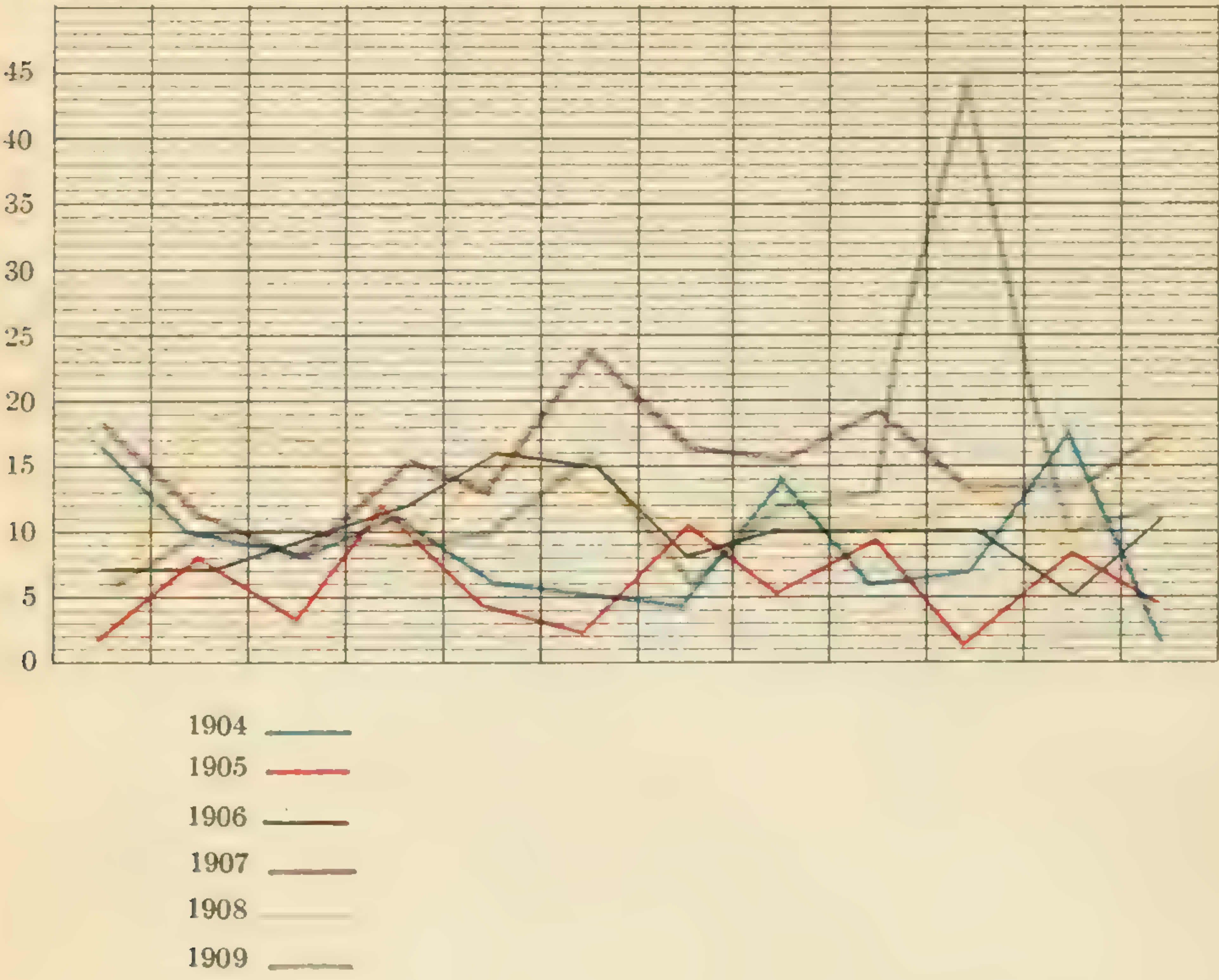
STATISTICAL CHART, X, A. R. No. 5



- 1904 —
- 1905 —
- 1906 —
- 1907 —
- 1908 —
- 1909 —



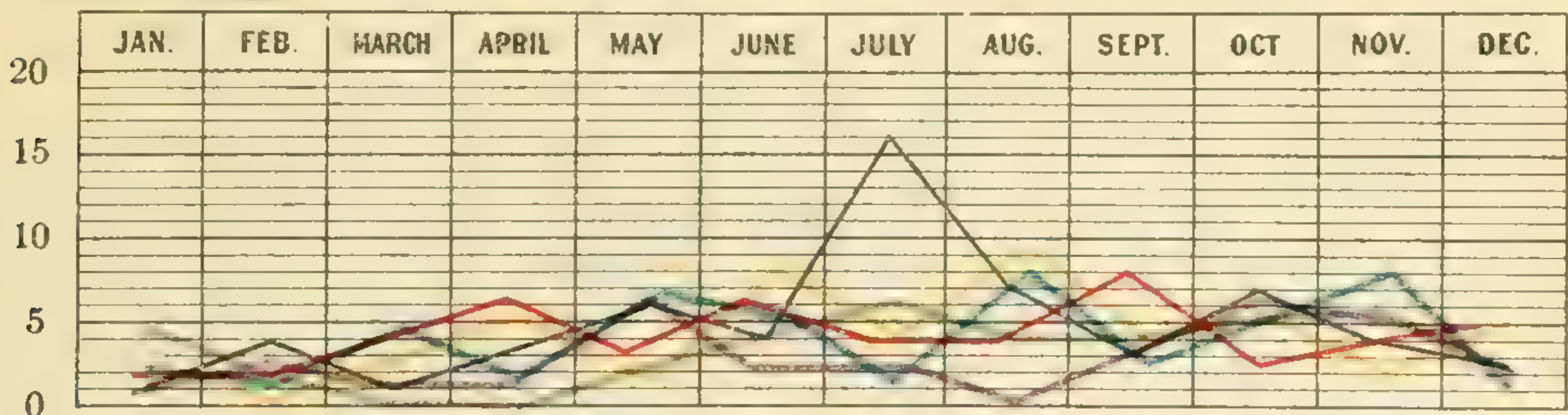
DIAGRAMS SHOWING NUMBER OF FATAL ACCIDENTS BY MONTHS IN VARIOUS  
MINING TRADES AND INDUSTRIES THROUGHOUT THE PERIOD 1904 TO 1909.





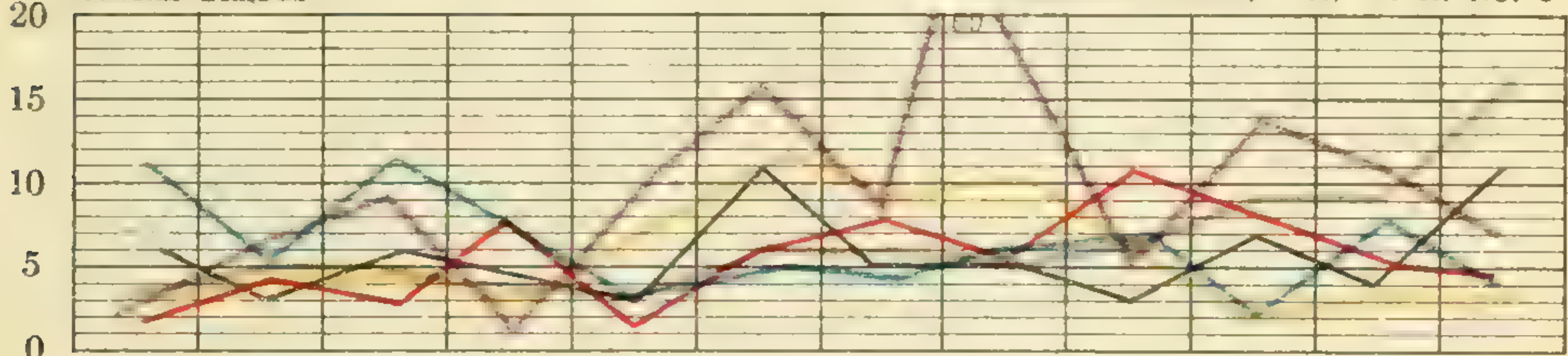
DIAGRAMS SHOWING NUMBER OF FATAL ACCIDENTS BY MONTHS IN VARIOUS  
TRADES AND INDUSTRIES THROUGHOUT THE PERIOD 1904 TO 1909.

BUILDING TRADES



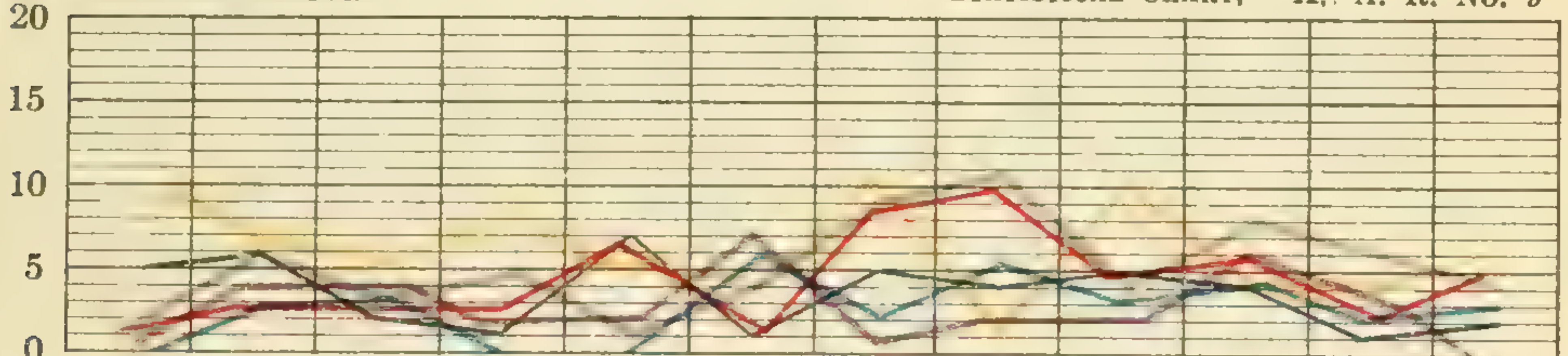
METAL TRADES

STATISTICAL CHART, X, A. R. No. 8



UNSKILLED LABOUR

STATISTICAL CHART, X, A. R. No. 9



1904 ———

1905 ———

1906 ———

1907 ———

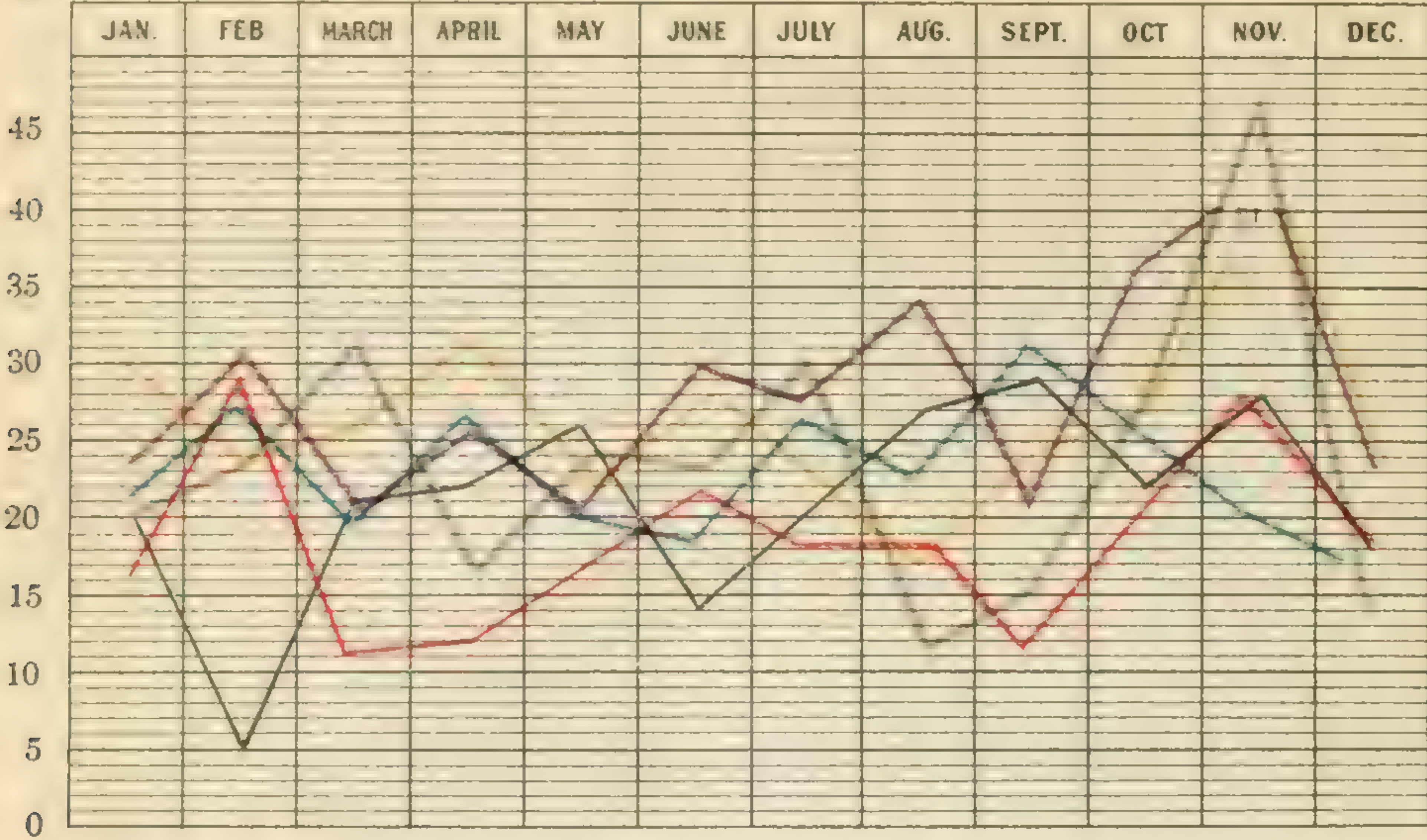
1908 ———

1909 ———



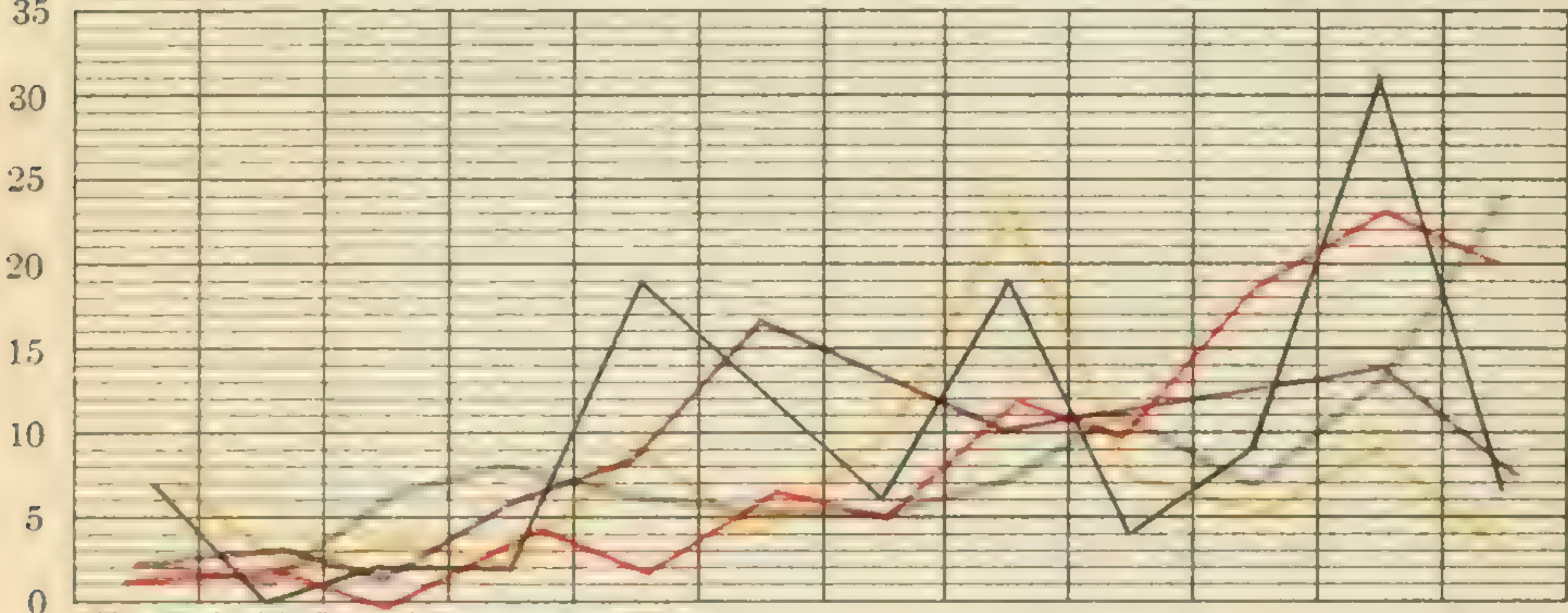
DIAGRAMS SHOWING NUMBER OF FATAL ACCIDENTS BY MONTHS IN VARIOUS  
TRADES AND INDUSTRIES THROUGHOUT THE PERIOD 1904 TO 1909.

RAILWAY SERVICE.



NAVIGATION\*

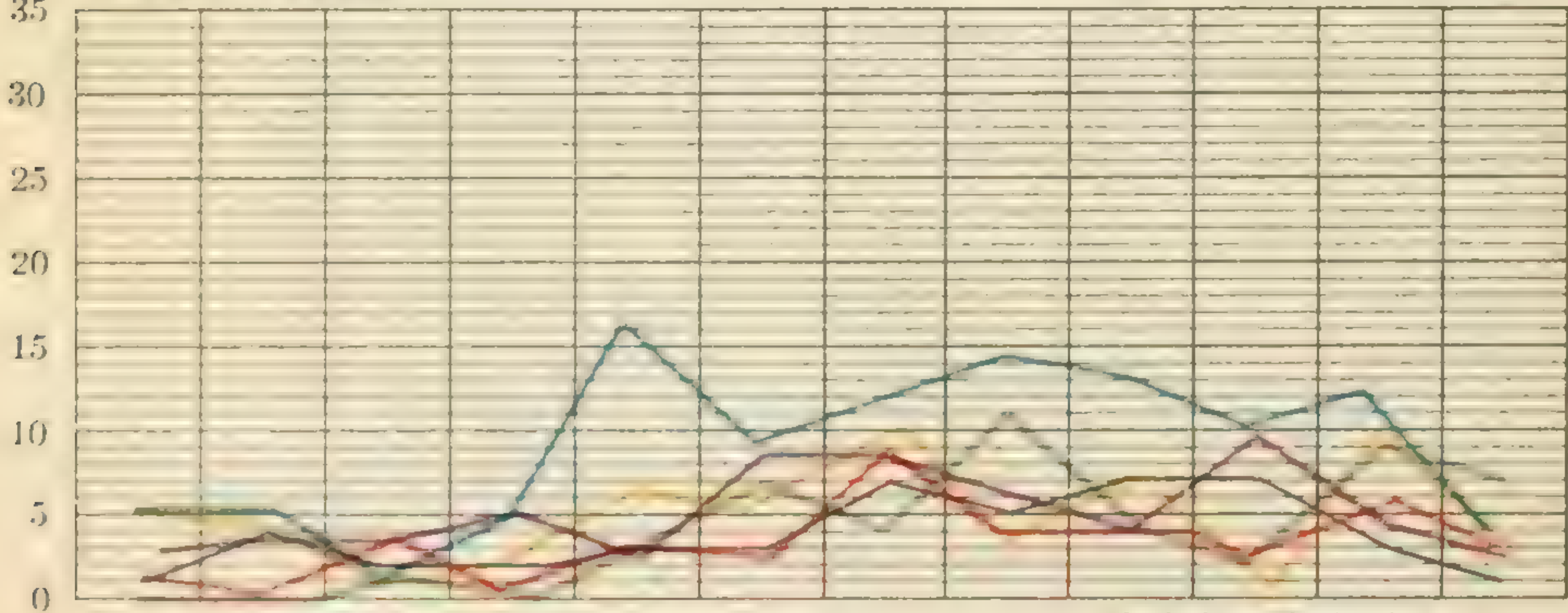
STATISTICAL CHART, X, A. R. No. 11



\*Classified with General Transport in 1904.

GENERAL TRANSPORT\*

STATISTICAL CHART, X, A. R. No. 12



\*Including Navigation in 1904.

- 1904 ———
- 1905 ———
- 1906 ———
- 1907 ———
- 1908 ———
- 1909 ———



## SESSIONAL PAPER No. 36.

## METAL TRADES.

Causes of Accidents.	Killed.						Injured.					
	1904	1905	1906	1907	1908	1909	1904	1905	1906	1907	1908	1909
Injured by machinery, belting, etc.	12	7	8	15	7	13	108	147	251	201	131	171
Injured by tools.....	3	1					15	7	7	6	10	3
Struck by falling material.....	9	5	7	21	6	12	92	63	94	129	82	106
Injured by hot or molten metal			1	1		2	55	40	52	31		50
Injured by electric shock.	5	11	14	16		21	11	13	8	10	34	15
Injured by elevators and hoists.....	4	1	1	6	3	1	14	6	6	15	4	4
Falling from scaffold, etc.	9	5	7				9	22	25			
Collapse of scaffolding....	2		1				11	2	15			
Falling from buildings.....	4		1	14			6	3		102		
Falling from bridges.....	4	3					2	5	1			
Falling from poles.	3	1					11	5				
Falling in various ways not specified	4	2	2		17	12	22	14	40		46	66
Injured by derricks and cranes..	1	5	2	1			4	9	1	2	1	2
Bursting of wheels.....	2	2					3	5	4			
Injured by boiler explosions.....	2	3	2		4		14	5	7		3	
Struck by falling wood, poles, etc.	5	1	4				1	10	33	16		
Injured by saws...							2					
Injured by shears.....							6	4				
Injured by drop hammers.....							7	3	1			
Injured by trip hammers.							6	7		1		
Overcome by gas..	1	1	1				2			1		
Scalded by water, steam, etc....		1	5				9	4	3			2
Injured by electricity					19			1	1		18	
Injured by explosions of gas, powder, etc.....				1	1	2	4	6	4	44	15	31
Crushed by presses.....							24	26	3			
Crushed by cars...		3	1	5	3		2	5		7	13	
Struck by flying material...						8	1	2				26
Struck by lever.....	1							1				
Struck by hook.....							1	1				
Crushed between girders.....							2	1				
Crushed in other ways.....			1				4	1	3			
Injured by chains.....							2	1				
Cut by a die..							1	2				
Run over by a cart..							1	1				
Drowned.	2	2	9	3	3	2					1	
Injured when grinding.....								1				
Injured by lathes....							3				2	
Injured by live stock.....				2					3	2		2
Sunstroke while repairing boilers.			1									
Gunshot wounds.....										1		1
Dropped dead while shoeing horse.				1								
Railway accident....				5		4				2	3	3
Collapse of bridge at Quebec..				63								
Unclassified.....	1	2					35	1				
Foot pierced by nail.											1	
Total.....	74	56	68	154	63	77	490	424	562	570	364	482

## PRINTING TRADES.

Crushed in presses...							5	8	17	20		
Crushed in printing machines							3	4			12	
Struck by a falling mould.....							1	1				
Hot metal and other material.								3				
Injured by knives.....								1				
Elevator accidents.....		1		1				1		3		
Explosion of magnesium powder								1				
Total.....		1		1			9	19	17	23	12	35

## CLOTHING TRADES.

Injured by elevators and hoists.....	1	2	2	1			4	6	4	1	1	
Kicked by a horse...								1		1		
Injured by machinery, belting, etc.		1			1	1	8	21	11	18	13	10
Injured by mangles....							4	1				
Injured by presses...							2	2				
Injured by falling.....								1		1		
Injured by falling material								1	2	3	2	2
Explosions.....								1	1			
Mistaken use of nitrate of potash..								2				2
Unclassified.....	2						3					
Injured by tools.....												2
Total.....	3	3	2	1	1	1	21	36	19	24	16	16



1 GEORGE V., A. 1911

## TEXTILE TRADES.

Causes of Accidents.	Killed.						Injured.					
	1904	1905	1906	1907	1908	1909	1904	1905	1906	1907	1908	1909
Injured by machinery, belting, etc	2		1	1	1	1	13	13	41	29	34	24
Injured by a loom...							2	5				
Injured by a picker....							1	2				
Injured by a shuttle.							1	1				
Injured by a spindle.....							1	1				
Injured by an elevator.			1		1		1	2				
Falling from a building, etc.		1				1	1	1		1	2	5
Collapse of a building.....							1	1				
Injured by drawing frame								2				
Run over by train...		1										
Ignition of cotton, etc.....			1	2					1	3		
Falling material...									3	8	1	5
Blood poisoning...						1						
Flying material.....												1
Unclassified.....	1						2	2				
Total.....	3	2	3	3	2	3	23	30	46	41	37	35

## FOOD AND TOBACCO PREPARATION.

Injured by machinery, belting, etc...	1		5	3	2	4	12	23	27	22	23	35
Falling from vehicles.....		2		1	1		6	10	2	2	5	
Falling from a ladder.....					1		1	3				
Falling in various ways not specified	3		4				9	6	14	17	6	16
Injured by bursting bottles.....	1						2	4				
Run over.....	1	1			2	1		2				2
Injured by elevators.....		1	1	3	3		4	6	2	3	9	6
Scalded by hot water.....							3	4	10		4	6
Injured by falling of tree.....		1						1				
Injured by live stock.....		1		1				2	2	2	4	
Crushed by goods in workshop, etc...					2		3	2			2	2
Injured by a knife or tools.....			1		3		1	2	7	2	4	
Injured by a dough mixer.....							1	2				
Explosion of gas, etc.....		2	1			2		9	7	12	3	2
Drowned.....			3	1		1						1
Smothered in grain bin.....			2									
Electric shock.....				3		1			1	2		1
Dropped dead while fighting fire.....			1									
Railway accident.....			1	3								2
Falling material.....			1	1					7	12	3	8
Runaways.....												2
Exposure.....												1
Collisions.....												2
Unclassified.....		1					13					
Total.....	6	9	20	18	14	9	55	76	79	74	63	86

## LEATHER TRADES.

Injured by machinery, belting, etc.	1	4	2		1		1	6	11	2	4	4
Burned in a fire.		2										
Falling...			1			1		1	2	1		2
Unclassified.....	1						3					
Injured by elevator..					2						1	
Injured by boiling tallow...												
Tools.....												2
Falling material...												1
Blood poisoning...						1						
Total.....	2	6	3		3	2	4	7	13	3	5	9



## SESSIONAL PAPER No. 36.

## RAILWAY SERVICE.

Causes of Accidents.	Killed.						Injured.					
	1904	1905	1906	1907	1908	1909	1904	1905	1906	1907	1908	1909
Struck by engines, etc.....	53	37	27	42	15	1	35	27	44	16	16	3
In collisions.....	33	25	45	37	33	31	77	43	54	39	51	35
Derailing of engines, etc.....	18	16	12	30	25	42	24	33	29	18	42	56
When coupling.....	12	20					24	35				
Falling from trains and cars	22	6	14	17	15	26	49	31	53	52	47	59
Falling from train and run over	26	39					3	16				
Foot catching in frogs, etc., and run over.	5	3					5	6				
Run over by trains, etc.....	47	23	62	106	95	93	23	10	33	44	33	30
Injured by explosions..	3	3	5	2	4	3	5	12	4	2	13	17
Injured by blasting, dynamite, etc..	20		43	51	76	26	12	9	41	49	28	5
Crushed between cars, engines, etc..	10	20	21	33	16	14	16	28	30	58	28	26
Crushed in round-houses and shops	2						5	3				
Striking objects when on moving trains and cars..	1	4	5	2	6	5	2	23	3	5	4	4
Injured by falling snow and rocks, etc.	4		6	11	19			3	18	46	33	
Injured by electric shock.	2					2		1				
Struck by falling material.....	1					24	8	10				31
Struck by falling metal.....		6					5	16		1		
Falling in other ways.....	4	2					15	4				
Injured by tools.....							3	3	4	3		
Injured by machinery, belting, etc.		1	1		6	5		9	10	4	16	12
Injured by an elevator.							1					
Drowned.....			4	8	9	8						
Asphyxiated by gasoline fire					3							
Struck by lightning.....			4		1						1	1
Lost on prairie, frozen.....			1			1						
Burned to death.....				2	1							
Sunstroke.....				1	1	1						
Injured by flying material..											4	2
Blood poisoning.....					1	1						
Unclassified.....	10	8					30	9				
Burned and scalded												11
Assaulted by tramps.....												1
Total.....	273	215	252	342	326	283	342	331	323	337	316	293

## NAVIGATION.\*

Causes of Accidents.	Killed.					Injured.				
	1905	1906	1907	1908	1909	1905	1906	1907	1908	1909
Drowning.....	101	92	62	46	62					
Injured by falling material.....		3	5	3	8	20	24	19	22	11
Caught in hawser.....						1				
Falling into hold, etc.....	8	9	17	18	16	20	18	30	23	26
Explosions of gas, etc.....	8	1	1	8	1	14	5	12		19
Struck by engine.....	2	3	2							
Struck by merchandise.....		1				5	5			
Struck by derricks, cranes, etc.....	4				1	14		1	2	
Injured by fire on vessel.....	1	1	5	3		11		4	1	
Frozen to death.....	1									
Electric shock.....		1	1							
Injured by machinery.....		2	1	2	1		1	6	5	6
Crushed between wharf and vessel		2						1		
Discharge of firearms.....							1			
Flying material.....		1			4				1	8
Exposure.....		1					6	1		
Injured by railways.....				4						
Injured by vehicles.....					1				1	
Sunstroke.....									1	
Asphyxiation.....										16
Burns or scalds.....					1					4
Live stock.....										1
Unclassified.....	3									
Total.....	128	117	100	84	95	85	61	74	62	91

\*This group of trades was included with general transport in 1904.



GENERAL TRANSPORT.

Causes of Accidents.	Killed.						Injured.					
	1904	1905	1906	1907	1908	1909	1904	1905	1906	1907	1908	1909
Drowned....	33	69	4	9	1	2				64		3
Falling on board ship..	6	9					14	22				
Falling from vehicles.....	50	6	8		3		59	52	20		8	1
Falling from vehicles and run over	1	6	4	11	7	4		10	16	11	8	9
Falling from scaffolding..			2				1	2				
Falling from a building.....	1											
Falling in various ways not specified	2				11	13	7		56		49	76
Crushed between a boat and wharf	2	3					4	4				
Injured by elevators and hoists	6	3	1				6	4		6		
Injured by blastings and explosions	3							1		1		
Struck by trains.....	4	5	5	2	4		3		8	10	1	
Run over by trains and cars	3	3	2	2		3	3	5		9		
Run over by vehicles.....	1	1					6	2				
Collisions with street cars.....		3			4		6	24			13	
Struck by timber, wood, etc	4		1	2			10	22		3		
Struck by wagon loads....	3	1					4	2				
Struck by buckets...	3				1		1				2	
Injured by machinery, belting, etc.	4	3		2		1	5	10	7	14		7
Struck by freight....	2		2	2			5	10	7	14		
Struck by falling coal..	2						1	1				
Crushed between cars and vehicles	2					1		1				8
Injured by falling earth, etc., in cave- in.	3		1	3	8		1	1	6		13	
Derailing of a train..	1							1				
Injured by live stock.....	5	3	2	8	5	4	8	15	20	13	17	14
Exposure.....	1	1	1			1		2				
Crushed between cars and shed, etc	1			3				3		13		
Struck by lightning....							1					
Struck by falling metal.....							3	2	19			
Struck by vehicles.....							3	2		6		
Scalded.							2					
Caught by hawsers and anchor chains							3	1				
Burned in fire on a ship..		3	1		1		2	11			4	
Struck by a pulley.....							2					
Falling material...		1				6			6			17
Collisions.....			12	5		7	1		13	13	28	39
Runaways....				4	9	7				11	16	21
Electric shock.....				1						2	1	3
Flying material.....												3
Burns or scalds.....						1						1
Unclassified.....		20					10	20				
Total.....	103	140	45	55	54	50	168	234	178	193	135	193

CIVIC EMPLOYEES.\*

	Killed.					Injured.				
	1905	1906	1907	1908	1909	1905	1906	1907	1908	1909
Injured by falls on way to fire, at fires, etc.....	4	1	2	4	4	53	43	29	22	27
Injured by falling material	2		1	6	4	10	6	27	12	28
Injured by collision.....						3	5	6		12
Injured while arresting prisoners.....				2		5	7	1	4	
Injured while lifting a tile.....	1	1								
Injured in an elevator.....						1	2			
Struck by engine.....		2					1	2	2	
Asphyxiated...		1		3			1		4	11
Explosion of gas, etc.....			1	2	2		1	10	2	
Run over by vehicles.....				1				2	5	
Injured by live stock.....								2	2	1
Injured by tools.....								1		
Drowned.....			1							
Electric shock.....			1	1						
Machinery.....									2	1
Flying material.....										1
Firearms.....					1					1
Runaways.....										6
Blood poisoning.....					1					
Total.....	7	5	6	19	12	72	66	80	55	91

\*This group was constituted a distinct unit in 1905.



## SESSIONAL PAPER No. 36.

## MISCELLANEOUS TRADES.

Causes of Accidents.	Killed.						Injured.					
	1904	1905	1906	1907	1908	1909	1904	1905	1906	1907	1908	1909
Blasting, explosions of dynamite, etc.	7	5	2	11	11	14	2	18	19	30	18	39
Other explosions.....	3	5	2		9	7	2	9	22		16	31
Boiler explosions..	—	2					4	9				
Injured by machinery, belting, etc.	4	20	7	5	6	4	26	48	75	48	31	36
Railway accidents...	4	3	6	3			8	8	4	2	14	4
Falling from vehicles.....	1		2	4	1		4	13	5	9		
Falling from buildings.....	1	2		1			17	5	1	5		
Collapse of buildings...	3	1					16	1				
Falling from scaffolding..		1	1				3		1			
Falling in various ways not specified	4	7	1	4	10	5	13	15	56	21	31	13
Poisonous fumes.....	3	1	9	1			11					
Injured in various ways at fires				1			27	3		11		
Struck by falling wood...	1	1			1		1	6				
Drowned...	3	16	7	8		5						3
Injured by live stock.....	2	1	1	2		2	5	5	5	4		1
Elevator accidents.....		4	5	2	1	5	9	1	4	6	17	7
Injured by cave-in of earth...			3	3					4			
Injured by electricity..			1	1	2	3					1	
Injured by exposure...					2				1	1	1	
Suffocated in a fire.....			2									
Heart failure.....			1									
Discharge of firearms.....			1	1	1				2	1	1	
Burned to death.....			2	5	2							
Struck by falling material.....			2	9	2				27	30	18	
Ruptured artery in struggle with patient.....				1								
Runaways..					3	2					6	1
Smothered in cement.....					1						1	
Asphyxiated by gas.....					7	2						
Injured by tools.....					2						1	2
Exposure.....												2
Burns and scalds...						2						3
Flying material.....												4
Run over.....						3						4
Assaulted by prisoner....												2
Unclassified.....	5	2	1				30	18				
Total	41	71	56	62	61	54	178	159	226	168	156	152

## UNSKILLED LABOUR.

Falling from buildings.....	4		2				8	7		1		
Falling from scaffolding ..	1		1				6	2				
Struck by falling wood...		2	4				12	13	15			
Falling from vehicles.....		1		1	8	5	3	1	25	2	4	
Falling in other ways	2	4	5	7	12	4	7	21		22	12	32
Struck by falling stones, bricks, etc..	5	7	1	14	11	7	13	35	50	82	59	53
Injured by elevators and hoists		1		1	1	1	1	5	8	4	1	2
Injured by caving-in of earth.	4	5	7	4	7		5	10	3	2	3	
Injured by derricks and cranes	1	2			5		9	5				
Drowned...	1	1	7			4		3				1
Blasting explosions of dynamite, etc.	2	7	1	1	9	4	15	10	7	5	20	14
Injured by machinery, belting, etc		2		1	3	1	3	12	13	17	13	5
Struck by falling metal.....		1					8	2				
Collapse of part of building...		2										
Railway accidents.		16	10	4	8			15	5	11	9	4
Run over by vehicles.....				1		21			2	6		4
Injured by exposure.			1						1			
Injured by tools.....					1				5	1	4	6
Injured by live stock.....			1						4	1	2	2
Asphyxiated by gas.....					3				3			
Injured by electric shock...			3		2	5			1			
Struck by flying objects....						1					3	
Smothered in grain bin..					1							
Blood poisoning...						1						
Unclassified.....	10	6					29	2				
Total	30	57	43	34	71	64	119	143	142	154	130	123







## XI.—THE LIBRARY OF THE DEPARTMENT.

The principal event in regard to the library of the Department during the past fiscal year was the removal into new quarters, where the publications are now housed in a suitable room containing modern library furniture and equipment. The growth of the Department in recent years had precluded the allotment of adequate space to the library in its former situation, but with the present facilities, it will be possible to make additions to the literature in the Department to a reasonable extent for some time to come, and thus lay the foundations of a thoroughly representative collection of publications relating to industrial subjects. Opportunity for research is afforded to students and others interested in labour problems, tables and chairs being placed in the library for their use, while the card catalogue provides a ready means of securing material in the Department bearing on particular subjects.

During the year, 104 books of reference were added to the library, 180 Government publications, 110 trade and labour journals, and 31 other periodicals. There were received, besides, a large number of pamphlets on a variety of subjects. In view of the prospective appointment of a Royal Commission on Technical Education, special efforts were made to procure publications relating to technical education in the principal countries of the world, and a large number of books and pamphlets on this subject were added to the library. A collection of the constitutions of trade unions in Canada and the United States was also begun, in which matter assistance was given by the Secretaries of many labour organizations, to whom the Department is indebted for their kindness in forwarding these valuable documents. The commencement of an investigation into the cost of living in Canada, which is to form a regular branch of the work of the Department, necessitated the addition to the library of a number of trade journals which publish price lists of the various commodities in which they are interested.

Official reports were received for the first time from the Governments of Paraguay, Uruguay, the State of Oklahoma, the Cape of Good Hope and the Transvaal. The following periodicals were also received for the first time: *American Silk Journal*, *Canadian Miller and Grain Elevator*, *Canadian Painter and Decorator*, *Canadian Pharmaceutical Journal*, *Canadian Railroad Employee*, *The Grain Growers' Guide*, *The Fruit Magazine*, *Labour's Realm*, *The Plasterer*, *The Teamsters' Magazine* and *The Pittsburg Legal Journal*.

Attention was called in the columns of the *Labour Gazette* to the principal Government reports which were added to the library from time to time, and seventy-six of these publications were reviewed during the fiscal year.

A catalogue of Government reports and other publications relating to industrial and labour conditions, and of trade, labour and economic periodicals received at the Department during the fiscal year, is published herewith.



CATALOGUE OF REPORTS AND OTHER DOCUMENTS ADDED TO THE  
LIBRARY OF THE DEPARTMENT OF LABOUR DURING THE  
YEAR ENDED MARCH 31, 1910.

CANADA:

*Department of Labour:*

	YEAR.
The <i>Labour Gazette</i> , Vol. IX, Nos. 10 to 12; Vol. X, Nos. 1 to 9	1909-1910
The Ninth Annual Report.....	1908-1909

*Department of Mines:*

Summary Report of the Mines Branch for the nine months ending December 31.....	1908
The Production of Iron and Steel in Canada during the calendar years 1907 and 1908. By John McLeish, B.A.....	1909
Joint Report on the Bituminous, or Oil Shales of New Brunswick and Nova Scotia; also on the Oil Shales Industry of Scotland.....	1910
A Geological Reconnaissance of the Region Traversed by the National Transcontinental Railway between Lake Nipigon and Clay Lake, Ontario. By W. H. Collins.....	1909
Iron Ore Deposits of Vancouver and Texada Islands, British Columbia. By Einar Lindeman.....	1910
Preliminary Report on the Mineral Production of Canada during the calendar year.....	1909
Bulletin No. 1. Investigation of the Peat Bogs and Peat Industry of Canada during the season 1908-9. By Erik Nylstrom, M.E., and S. A. Anrep, M.E.....	1910
Report on Iron Ore Deposits of Nova Scotia. Part I. By S. E. Woodman.....	1909
Report on the Tungsten Ores of Canada. By T. A. Walker..	1909
The Coal Fields of Manitoba, Saskatchewan, Alberta and Eastern British Columbia. By D. B. Dowling.....	1909
Reports on a Portion of Algoma and Thunder Bay Districts, Ontario. By W. G. Wilson. And on the Region Lying North of Lake Superior between the Pic and Nipigon Rivers. By W. H. Collins.....	1909
The Whitehorse Copper Belt, Yukon Territory. By R. G. McConnell.....	1909
A Descriptive Sketch of the Geology and Economic Minerals of Canada. By G. A. Young.....	1909
Report on the Chrome Iron Ore Deposits of the Eastern Townships, Province of Quebec. By Fritz Cirkel.....	1909



## SESSIONAL PAPER No. 36.

*Department of Agriculture:*

Annual Report.....	1908-1909
Report of the Dairy and Cold Storage Commissioner.....	1908-1909
Canadian Patent Office Record, April, 1909, to March.....	1910
Experimental Farms. Reports for the Year ending March 31.....	1909
The Cattle Trade of Western Canada. Special Report. By S. G. Rutherford.....	1909

*Department of the Interior:*

Annual Report.....	1908-1909
Forest Conditions in the Crow's Nest Valley, Alberta. By H. R. Macmillan.....	1909
Forest Fires in Canada during 1908. By H. R. Macmillan....	1909

*Department of Indian Affairs:*

Annual Report.....	1908-1909
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*Department of Finance:*

Report of the Superintendent of Insurance.....	1908
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*Department of Inland Revenue:*

Report, Returns and Statistics of the Inland Revenues of Canada.....	1908-1909
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*Department of Justice:*

Report as to Penitentiaries of Canada.....	1908-1909
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*Department of Marine and Fisheries:*

Annual Report, Fisheries.....	1908-1909
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*Department of Public Works:*

Annual Report.....	1908-1909
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*Department of Railways and Canals:*

Annual Report.....	1908-1909
Railway Statistics for the Year ended June 30.....	1909
Report of the Hudson's Bay Railway Surveys.....	1909



*Department of Trade and Commerce:*

Annual Report..... 1908-1909

*House of Commons:*

Evidence taken before the Marine and Fisheries Committee  
Respecting the Lobster Industry, during the Session of... 1909

*Railway Commission:*

Third Annual Report for the Year ended March 31..... 1908

## NOVA SCOTIA:

Report of the Department of Mines'..... 1909  
Provincial Secretary's Report for the Year ended September  
30..... 1909  
Provincial Health Officer's Report..... 1909  
Ninth Annual Report on Penal Institutions of Nova Scotia.... 1909  
Annual Report of the Secretary for Agriculture for the Year.. 1909  
Second Annual Report of the Factories Inspector..... 1909  
Report on Public Charities for the Year ended September 30.. 1909

## QUEBEC:

General Report of the Minister of Public Works and Labour.. 1908-1909

## ONTARIO:

*Bureau of Labour:*

Tenth Annual Report..... 1909

*Department of Agriculture:*

Annual Report, Vols. I, II..... 1908  
Annual Report of the Agricultural Societies of Ontario and of  
the Convention of the Ontario Association of Fairs and  
Exhibitions for..... 1909  
Report of the Bureau of Industries for..... 1908  
Annual Report of the Bee-keepers' Association of Ontario for. 1908  
Annual Reports of Dairymen's Associations..... 1908  
Reports of the Farmers' Institutes for..... 1908  
Annual Report of the Ontario Agricultural and Experimental  
Union ..... 1908



## SESSIONAL PAPER No. 36.

Annual Reports of the Fruit Growers' Association, Fruit Experiment Stations and Entomological Society of Ontario.	1908
Annual Reports of the Live Stock Associations.....	1909
Third Annual Report of the Poultry Institute of Ontario.....	1909
Report on Women's Institutes.....	1909
Report of the Milk Commission.....	1909
Report of the Vegetable Growers' Association.....	1908
Report of the Horticultural Societies.....	1908

*Department of Education:*

Annual Report.....	1908
Report to the Board of Education, City of Toronto, on Technical Schools in the United States.....	1909

*Miscellaneous Reports:*

Report of the Bureau of Mines.....	1909
Report on the Care of the Feeble-Minded.....	1909
Report on Hospitals for the Insane.....	1908
Report of the Ontario Railway and Municipal Board.....	1908
The Province of Ontario, Canada, Situation and Size, Climate, Products, Resources, Progress and Advantages.	1909
Report of the Game and Fisheries Department.....	1908
Report of the Superintendent of Neglected and Dependent Children for.....	1908

## SASKATCHEWAN:

Annual Report of the Department of Agriculture.....	1908
Department of Agriculture Bulletin No. 8. Final Report on Grain Crops and Live Stock for.....	1908

## ALBERTA:

Annual Report of the Department of Agriculture.....	1908
Annual Report of the Department of Public Works.....	1908

## BRITISH COLUMBIA:

Royal Commission of Inquiry on Timber and Forestry. Interim Report.....	1910
Annual Report of the Public Schools.....	1908-1909



## THE UNITED KINGDOM:

*Labour Department: Board of Trade.*

The <i>Labour Gazette</i> , Vol 17, April to December, 1908; Vol. 18 January to March.....	1910
Directory of Industrial Associations in the United Kingdom for Seventh Report of Proceedings under the Conciliation (Trade Disputes) Act, 1896, during 1907–1909.....	1910
Thirteenth Abstract of Labour Statistics of the United Kingdom, 1907–1908.....	1910
Report of an Inquiry by the Board of Trade into the Earnings and Hours of Labour of Workpeople of the United Kingdom. I. Textile Trades in 1906. III. Building and Woodworking Trades in 1906.....	1910
Report of an Inquiry into Working Class Rents, Housing and Retail Prices, together with the Rates of Wages in certain Occupations in the Principal Industrial Towns of France..	1909
Report on Trade Unions in 1905–1907, with Comparative Statistics for 1898–1907.....	1909
Copy of Tables Relating to Emigration and Immigration from and into the United Kingdom in the Year.....	1908
Standard Time Rates of Wages in the United Kingdom at October 1.....	1909

*Commercial Department: Board of Trade.*

The <i>Board of Trade Journal</i> , April, 1909, to March.....	1910
Statistical Abstract for the United Kingdom in each of the last fifteen years from 1894 to.....	1908
Report upon the Conditions and Prospects of British Trade in Canada. By Mr. Richard Grigg, Special Commissioner of the Advisory Committee on Commercial Intelligence....	1910
Statistical Abstract for the Principal and other Countries in each year from 1897 to.....	1907–1908
Annual Statement of the Navigation and Shipping of the United Kingdom for the Year.....	1908

*Railway Department: Board of Trade.*

Returns of Railway Accidents during the year ending December 31.....	1908
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*Other Government Publications:*

Fourteenth Annual Report of the Proceedings of the Registrars under the Building Societies' Acts.....	1908
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## SESSIONAL PAPER No. 36.

Reports on Friendly Societies, Workmen's Compensation Schemes, Industrial and Provident Societies and Trade Unions.....	1908
Statistical Memoranda and Charts Prepared in the Local Government Board Relating to Public Health and Social Conditions.....	1910
Report of the Proceedings of the Inspection Committee of Trustee Savings Banks for the year ended November 20..	1909
Reports of the Chief Registrar of Friendly Societies for the year ending December 31, 1908. Part C., Trade Unions..	1909
Correspondence Respecting the Application to British Subjects of the Benefits of the Swedish Law in Regard to Workmen's Compensation for Accidents.....	1910
Preliminary Tables of Cases of Industrial Poisoning, Fatal and Non-Fatal Accidents and Dangerous Occurrences in Factories, Workshops, etc., during the year.....	1909
Report of the Royal Commission on the Poor Laws, and Relief of Distress, 1909. Appendix Vol. XII. Memoranda by individual Commissioners on various subjects..	1910
Appendix Vol. VI. Minutes of Evidence.....	1910
Appendix Vol. VII. Minutes of Evidence .....	1910
Appendix Vol. XI. Report by Mr. Cyril Jackson on Boy Labour, together with the Memorandum from the General Post Office on the Conditions of Employment of Telegraph Messengers.....	1909 1909
Appendix Vol. XVIII. Report on the Condition of the Children who are in Receipt of the Various Forms of Poor Law Relief in England and Wales.....	1910
Return for Copy of Explanation of References to Statutes in the Housing, Town-Planning, etc., Bill.....	1909
Thirty-eighth Annual Report of the Local Government Board. Part I. Administration of the Poor Law, the Unemployed Workmen Act and the Old Age Pensions Act.....	1908-1909
Annual Statement of the Trade of the United Kingdom with Foreign Countries and British Possessions, 1908, Compared with the Four Preceding Years. Vols. I and II....	1909
International Labour Office Bulletin. Vol. II, No. 4; Vol. III, No. 1.....	1907-1908
Report of the Fifth General Meeting of the Committee of the International Association for Labour Legislation.....	1908

## COMMONWEALTH OF AUSTRALIA:

Summary of Commonwealth Production Statistics for the Years 1901 to.....	1907
Summary of Commonwealth Statistics of Transport and Communication for the Years 1901 to.....	1908



1 GEORGE V., A. 1911

Shipping and Oversea Migration for the Year.....	1908
Trade, Shipping, Oversea Migration and Finance for the Months of February, March, April, May, June, July, August.....	1909
Summary of Australian Financial Statistics, 1901 to.....	1908
Population and Vital Statistics. Bulletins Nos. 13, 14 and 16.	1909
Official Year Book, No. 2.....	1901-1908
Bureau of Census and Statistics. Bulletins 3 and 4.....	1909

## NEW SOUTH WALES:

*Department of Labour and Industry:*

Industrial Arbitration Reports and Records, Vol. VII, Parts 3, 4; Vol. VIII, Parts 1, 2.....	1908-1909
Report on the Working of the Factories and Shops Act, etc., during.....	1908

*Department of Justice:*

Report of the Comptroller-General of Prisons for.....	1908
Labour Schedule (Prison).....	1909
Prison Regulations, October 20.....	1909

## NEW ZEALAND:

*Department of Labour:*

Journal of the Department of Labour, April, 1909, to March..	1910
Awards, Recommendations and Decisions under the Industrial Conciliation and Arbitration Act.....	1909

## CAPE OF GOOD HOPE:

Report of the Select Committee on Conducting of Factories and Fair Wage Clause.....	1906
Report of the Select Committee on the Factory Act.....	1906
Report of the Select Committee on Imported Contract Labour.	1908

## TRANSVAAL:

Mines Department, Administration Report of the Inspector of White Labour for the Year ended June 30.....	1909
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## SESSIONAL PAPER No. 36.

## UNITED STATES:

*Federal Department of Commerce and Labour:*

Seventh Annual Report of the Secretary of Commerce and Labour.....	1909
Twenty-Third Annual Report of the Commissioner of Labour.	1909
Bulletin of the Bureau of Labour, Nos. 82 to 85, May to November.....	1909
Monthly Consular Trade Reports, April, 1909, to March.....	1910
Report of the Commissioner of Corporations on Cotton Exchanges. Parts IV and V.....	1909
Report of the Commissioners of Corporations on the Tobacco Industry. Part I .....	1909
United States of America <i>versus</i> Standard Oil Company. Vol. I. Brief of the Law for the Petitioners. Vol. II, Brief of Facts and Arguments for Petitioners.....	1909

*California:*

Special Labour Report on Remedies for Strikes and Lockouts.	1910
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*Illinois:*

Fourth Bi-ennial Report.....	1886
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*Massachusetts:*

Labour Bulletin, April, 1909, to March.....	1910
Thirty-Ninth Annual Report of the Bureau of Statistics of Labour.....	1908
Statistics of Manufacturers.....	1908
Annual Summary of the Work of the Bureau of Statistics, and Recommendations of the Director.....	1910
Twenty-Third Annual Report of the State Board of Conciliation and Arbitration.....	1908
Decision of the State Board of Conciliation and Arbitration, May 14.....	1909

*Michigan:*

Twenty-Sixth Annual Report of the Bureau of Labour and Industrial Statistics, Including Annual Report of State Inspection of Factories.....	1909
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*Nebraska:*

- Eleventh Bi-ennial Report of the Bureau of Labour and Industrial Statistics..... 1907-1908

*New York:*

- New York Labour Bulletin (quarterly) June, 1909, to March.. 1910  
 Twenty-Fifth Annual Report of the Bureau of Labour Statistics..... 1907  
 Seventh General Report of the Bureau of Labour Statistics... 1907

*Ohio:*

- Bulletin No. 32 of the Bureau of Labour Statistics. Report of Free Public Employment Offices..... 1890-1909

*Oklahoma:*

- First Annual Report of the Department of Labour..... 1908

*Wisconsin:*

- Thirteenth Bi-ennial Report of the Bureau of Labour and Industrial Statistics. Parts IV, V, VI..... 1907-1908  
 Fourteenth Bi-ennial Report. Parts I, II..... 1909-1910

**AUSTRIA:**

- Die Arbeitseinstellungen und Aussperrungen in Oesterreich wahrend des Jahres..... 1908  
 Soziale Rundschau 10 Jahrgang, Nos. 4 to 12, 1909; 10 Jahrgang, Nos. 1 to 3..... 1910  
 Ergebnisse der Arbeitsvermittlung in Oesterreich in den Jahren 1907 und 1908..... 1909  
 Vorschriften uber die Sonntagsruhe in gewerblichen Betriebe Oesterreichs ..... 1909  
 Die Kollektiven Arbeits und Lohnvertrage in Oesterreich, abschlusse und Erneuerungen des Jahres ..... 1907  
 Veranderungen im Stande der Gewerbe wahrend der Sieben Jahresperioden 1900-1901 bis..... 1906-1907  
 Bericht uber die Tatigkeit des K. K. Arbeitsstatistischen Amtes im Handelsministerium wahrend des Jahres..... 1908



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## BELGIUM:

Revue du Travail, avril, 1909 à mars .....	1910
Rapports Annuels de l'Inspection du Travail.....	1908
Bulletin du Comité Central du Travail Industriel, avril 1909 à mars.....	1910
Enquête sur la Pêche Maritime en Belgique.....	1909
L'office du Travail de 1895 à.....	1905
Les Industries à domicile en Belgique. Vol. X.....	1909

## FRANCE:

Bulletin de l'Office du Travail, avril 1909 à mars.....	1910
Statistique de Grèves et des Recours à la Conciliation et à l'Arbitrage survenus pendant l'année.....	1908
Enquête sur le Travail à Domicile dans l'Industrie de la Linge- rie. Tome II.....	1908
Conseil supérieur du Travail. Compte Rendu .....	1909
Annales du Musée Social, revues mensuelles, avril 1909 à mars.	1910
Mémoires et Documents, supplément aux Annales.....	1909-1910

## GERMANY:

Die Regelung des Arbeitsverhältnisses der Gemeindearbeiter in deutschen Städten. II. Die Arbeitsordnungen und son- stigen Bestimmungen zur Regelung des Arbeitsverhält- nisses.....	1909
Reichs-Arbeitsblatt, April, 1909, to March.....	1910

## ITALY:

Bolletino del l'Officio del Lavoro, April, 1909, to March.....	1910
Bolletino del l'Emigrazione, Nos. 4 to 12, 1909; Nos. 1 to 3...	1910
Lavoratore della Miniere. Parti seconda. Il Contratto di lavoro.....	1909
Società Umanitaria Milano. Disoccupazione collocamenti sussidi in Milano nel.....	1906

## PARAGUAY:

Memoria de Correos y Telegrafos. Tomes I, II.....	1906-1907
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## RUSSIA:

Enseignement Primaire populaire en Russie. Tomes I, II, III, IV.....	1900-1902
Publications of the Imperial Free Economic Society.....	1909



## SPAIN:

Legislacion del Trabajo, Julio, 1908-Junio.....	1909
Boletin del Instituto de Reformes Sociales, April, 1909, to March.....	1910
Memoria del Servicio de Inspeccion en.....	1907

## SWITZERLAND:

Bulletin de l'Office International du Travail.....	1909-1910
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## URUGUAY:

Anuario Estadistico de le Republic Oriental del Uruguay, anos 1907-1908. Tomo I.....	1909
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## PART II.—TRADE AND LABOUR JOURNALS.

Advance Advocate, official organ of the International Brotherhood of Maintenance-of-Way Employees. Vol. XVIII, Nos. 4 to 12; Vol. XIX, Nos. 1 to 3, April, 1909, to March.....	1910
Amalgamated Sheet Metal Workers' Journal, Vol. XV, Nos. 4 to 12; Vol. XVI, Nos. 1 to 3, April, 1909, to March.....	1910
American Federationist. Vol. XVI, Nos. 4 to 12; Vol. XVII, Nos. 1 to 3, April, 1909, to March.....	1910
American Industries. Vol. VIII, No. 4 to Vol. IX, No. 3, April, 1909, to March.....	1910
American Pressman. Vol. XIX, Nos. 3 to 12; Vol. XXI Nos. 1, 2, 3, February, 1909, to March.....	1910
American Silk Journal. November, 1909, to March.....	1910
Blacksmiths' Journal. Vol. X, Nos. 4 to 12; Vol. XI, Nos. 1 to 3, April, 1909, to March.....	1910
Boilermakers' and Shipbuilders' Journal. Vol. XXI, Nos. 4 to 12; Vol. XXII, Nos. 1 to 3, April, 1909, to March.....	1910
Bookbinder International. Vol. X, Nos. 4 to 12; Vol. XI, Nos. 1 to 3, April, 1909, to March.....	1910
Bookseller and Stationer. Vol. XXV, Nos. 4 to 12; Vol. XXVI, Nos. 1 to 3, April, 1909, to March.....	1910
Brewery Workers' Journal. April, 1909, to March.....	1910
Bricklayer and Mason. Vol. XII, Nos. 4 to 12; Vol. XIII, Nos. 1 to 3, April, 1909, to March.....	1910
Bridgemen's Magazine. Vol. VII, No. 9, to Vol. VIII, No. 8, April, 1909, to March.....	1910
Canada Lumbermen. Vol. XXIX, Nos. 4 to 12; Vol. XXX, Nos. 1 to 3, April, 1909, to March.....	1910
Canadian Baker and Confectioner. Vol. XXI, Nos. 4 to 12; Vol. XXII, Nos. 1 to 3, April, 1909, to March.....	1910



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Canadian Dairyman. Vol. XXVIII, No. 1 to Vol. XXIX, No. 13, January, 1909, to March.....	1910
Canadian Dry Goods Review. Vol. XIX, Nos. 4 to 12; Vol. XX, Nos. 1 to 3, April, 1909, to March.....	1910
Canadian Electrical News. Vol. XIX, Nos. 4 to 12; Vol. XX, Nos. 1 to 3, April, 1909, to March.....	1910
Canadian Engineer. Vol. XVI, Nos. 4 to 12; Vol. XVII, Nos. 1 to 3, April, 1909, to March.....	1910
Canadian Grocer. Vol. XXV, No. 4, to Vol. XXVI, No. 3, April, 1909, to March.....	1910
Canadian Journal of Commerce. April, 1909, to March.....	1910
Canadian Journal of Fabrics. Vol. XXVI, Nos. 4 to 12; Vol. XXVII, Nos. 1 to 3, April, 1909, to March.....	1910
Canadian Machinery. April, 1909, to March.....	1910
Canadian Manufacturer. April, 1909, to March.....	1910
Canadian Miller and Grain Elevator. January to March.....	1910
Canadian Mining Journal. Vol. XXVIII, Nos. 4 to 12; Vol. XXIX, Nos. 1 to 3, April, 1909, to March.....	1910
Contract Record. April, 1909, to March.....	1910
Canadian Woodworker. April, 1909, to March.....	1910
Carpenter, The. Vol. XXIX, Nos. 4 to 12; Vol. XXX, Nos. 1 to 3, April, 1909, to March.....	1910
Carpenters' and Joiners' Monthly Reports. April, 1909, to March.....	1910
Cigar Makers' Official Journal. April, 1909, to March.....	1910
Coast Seamen's Journal. April, 1909, to March.....	1910
Commercial Intelligence. April, 1909, to March.....	1910
Commercial Telegraphers' Journal. Vol. VII, Nos. 4 to 12; Vol. VIII, Nos. 1 to 3, April, 1909, to March.....	1910
Coopers' International Journal. Vol. XVIII, Nos. 4 to 12; Vol. XIX, Nos. 1 to 3, April, 1909, to March.....	1910
Canadian Painter and Decorator. January to March.....	1910
Canadian Pharmaceutical Journal. January to March.....	1910
Canadian Railroad Employee. Vol. 1, Nos. 1 to 12; April, 1909, to March..	1910
Dun's Review. April, 1909, to March.....	1910
Electrical Worker. Vol. IX, No. 6, to Vol. X, No. 5, April, 1909, to March..	1910
Fishing Gazette. April, 1909, to March.....	1910
Fruit Magazine. February and March.....	1910
Garment Workers' Weekly Bulletin. April, 1909, to March.....	1910
Grain Growers' Guide. March.....	1910
Granite Cutters' Journal. April, 1909, to March.....	1910
Hardware and Metal. April, 1909, to March.....	1910
Horseshoers' Monthly Magazine. Vol. XI, Nos. 4 to 12; Vol. XII, Nos. 1 to 3, April, 1909, to March.....	1910
Industrial Banner. April, 1909, to March.....	1910
Industrial Canada. Vol. IX, No. 8, to Vol. X, No. 7, April, 1909, to March..	1910
Insurance and Financial Review. Vol. V, Nos. 4 to 12; Vol. VI, Nos. 1 to 3, April, 1909, to March.....	1910



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International Musician. Vol. V, Nos. 4 to 12; Vol. VI, Nos. 1 to 3, April, 1909, to March.....	1910
International Steam Engineer. Vol. XII, Nos. 4 to 12; Vol. XIII, Nos. 1 to 3, April, 1909, to March.....	1910
Iron Age. January to March.....	1910
Iron Moulders' Journal. Vol. XLV, Nos. 4 to 12; Vol. XLVI, Nos. 1 to 3, April, 1909, to March.....	1910
Journal des Correspondences, Organe Officiel des Syndicats du Parti Ouvrier Belge, April, 1909, to March.....	1910
Journal of the Knights of Labour. April, 1909, to March.....	1910
Labour Co-partnership. Vol. XV, Nos. 4 to 12; Vol. XVI, Nos. 1 to 3, April, 1909, to March.....	1910
Labourers' Journal. April, 1909, to March.....	1910
Labour's Realm. Vol. I, Nos. 1 to 11, May, 1909, to March.....	1910
Lance, The. Vol. II, Nos. 53 to 98, May, 1909, to March.....	1910
Lather, The. Vol. IX, Nos. 4 to 12; Vol. X, Nos. 1 to 3, April, 1909, to March.....	1910
Leather Workers on Horse Goods Journal. Vol. XI, Nos. 8 to 12; Vol. XII, Nos. 1 to 7, April, 1909, to March.....	1910
Locomotive Engineers' Journal. Vol. XLIII, Nos. 4 to 12; Vol. XLIV, Nos. 1 to 3, April, 1909, to March.....	1910
Locomotive Firemen and Enginemen's Magazine. April, 1909, to March...	1910
Le Prix Courant. April, 1909, to March.....	1910
Machinists' Monthly Journal. Vol. XXI, Nos. 4 to 12; Vol. XXII, Nos. 1 to 3, April, 1909, to March.....	1910
Marine Review. Vol. XXXIX, Nos. 4 to 6; Vol. XL; Vol. XLI, Nos. 1 to 3, April, 1909, to March.....	1910
Maritime Mining Record. April, 1909, to March.....	1910
Metal Polishers' and Buffers' Journal. Vol. XVIII, Nos. 4 to 12; Vol. XIX, Nos. 1 to 3, April, 1909, to March.....	1910
Miners' Magazine. April, 1909, to March.....	1910
Mine Workers' (United) Journal. April, 1909, to March.....	1910
Mixer and Server. Vol. XVIII, Nos. 4 to 12; Vol. XIX, Nos. 1 to 3, April, 1909, to March.....	1910
Monetary Times and Trade Review. April, 1909, to March.....	1910
Moniteur des Syndicats Ouvriers. April, 1909, to March.....	1910
Motorman and Conductor. Vol. XVII, No. 2, to Vol. XVIII, No. 1, April, 1909, to March.....	1910
National Builder. Vol. XLVIII, Nos. 4 to 6; Vol. XLIX, Vol. L, Nos. 1 to 3, April, 1909, to March.....	1910
Pacific Lumber Trade Journal. April, 1909, to March.....	1910
Painters', Decorators' and Paperhangers' Journal. Vol. XXIII, Nos. 4 to 12; Vol. XXIV, Nos. 1 to 3, April, 1909, to March.....	1910
Pattern Makers' Journal. Vol. XVIII, Nos. 4 to 12; Vol. XIX, Nos. 1 to 3, April, 1909, to March.....	1910
Piano and Organ Workers' Journal. Vol. XI, Nos. 4 to 12; Vol. XII, Nos. 1 to 3, April, 1909, to March.....	1910



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Plasterer, The. Vol. IV, Nos. 1 to 3, January to March.....	1910
Plumbers', Gas and Steamfitters' Journal. Vol. XIV, Nos. 4 to 12; Vol. XV, Nos. 1 to 3, April, 1909, to March.....	1910
Printer and Publisher. Vol. XVIII, Nos. 4 to 12; Vol. XIX, Nos. 1 to 3, April, 1909, to March.....	1910
Railroad Freight and Baggage-man. Vol. VII, No. 8, to Vol. VIII, No. 7, April, 1909, to March.....	1910
Railroad Telegrapher. Vol. XXVI, Nos. 4 to 12; Vol. XXVII, Nos. 1 to 3, April, 1909, to March.....	1910
Railroad Trainmen's Journal. Vol. XXVI, Nos. 4 to 12; Vol. XXVII, Nos. 1 to 3, April, 1909, March.....	1910
Railway Age. April, 1909, to March.....	1910
Railway Carmen's Journal. Vol. XIV, Nos. 4 to 12; Vol. XV, Nos. 1 to 3, April, 1909, to March.....	1910
Railway Clerk. Vol. VIII, Nos. 4 to 12; Vol. IX, Nos. 1 to 3, April, 1909, to March.....	1910
Railway and Locomotive Engineering. Vol. XXII, Nos. 4 to 12; Vol. XXIII, Nos. 1 to 3, April, 1909, to March.....	1910
Railway and Marine World. April, 1909, to March.....	1910
Railway Conductor. Vol. XXVI, Nos. 4 to 12; Vol. XXVII, Nos. 1 to 3, April, 1909, to March.....	1910
Retail Clerks' International Advocate. Vol. XVI, Nos. 4 to 12; Vol. XVII, Nos. 1 to 3, April, 1909, to March.....	1910
Review—National Founders' Association. April, 1909, to March.....	1910
Shoe and Leather Journal. Vol. XXII, Nos. 4 to 12; Vol. XXIII, Nos. 1 to 3, April, 1909, to March.....	1910
Shoe Workers' Journal. Vol. X, Nos. 4 to 12; Vol. XI, Nos. 1 to 3, April, 1909, to March.....	1910
South African Typographical Journal. March, 1909, to February.....	1910
Stereotypers' and Electrotypers' Journal. Vol. IV, Nos. 4 to 12; Vol. V, Nos. 1 to 3, April, 1909, to March.....	1910
Stonecutters' Journal. Vol. XXIII, Nos. 4 to 12; Vol. XXIV, Nos. 1 to 3, April, 1909, to March.....	1910
Stove Mounters' Journal. Vol. XIV, Nos. 4 to 12; Vol. XV, Nos. 1 to 3, April, 1908, to March.....	1910
Switchmen's Union Journal. Vol. XI, Nos. 6 to 12; Vol. XII, Nos. 1 to 3, April, 1909, to March.....	1910
Tailor, The. Vol. XIX, Nos. 9 to 12; Vol. XX, Nos. 1 to 3, April, 1909, to March.....	1910
Teamsters' Magazine, The. Vol. VII, Nos. 1 to 5, November, 1909, to March.....	1910
Tobacco Worker, The. Vol. XIII, Nos. 4 to 12; Vol. XIV, Nos. 1 to 3, April, 1909, to March.....	1910
Trades Unionist (Vancouver, B.C.). Vol. IV, Nos. 4 to 12; Vol. V, Nos. 1 to 3, April, 1909, to March.....	1910
Typographical Journal. Vol. XXXIV, Nos. 4 to 6; Vol. XXXV, Nos. 1 to 6; Vol. XXXVI, Nos. 1 to 3, April, 1909, to March.....	1910



Voice, The. Vol. XVI, April, 1909, to March.....	1910
Western Clarion. April, 1909, to March.....	1910
Women's Trade Union Reviews. April, 1909, to March.....	1910

## OTHER PERIODICALS.

American Economic Association (publications of the), May, 1909, to February .....	1910
American Journal of Sociology. Vol. XIV, No. 6, to Vol. XV, No. 5, May, 1909, to March.....	1910
Among the Deep Sea Fishers. April, 1909, to March.....	1910
Annals of the American Academy of Political and Social Science, May, 1909, to March.....	1910
Canada. April, 1909, to March.....	1910
Canadian Courier. April, 1909, to March.....	1910
Canadian Forestry Journal. April, 1909, to March.....	1910
Canadian Municipal Journal. April, 1909, to March.....	1909
Co-operative News. April, 1909, to March.....	1909
Co-Partnership. April, 1909, to March.....	1910
Economic Review. Vol. XIX, Nos. 2 to 4; Vol. XX, No. 1, April, 1908, to January .....	1910
Economist. April, 1909, to March.....	1910
Factory Inspector, The. April, 1909, to March.....	1910
Industrial Canada. April, 1909, to March.....	1910
Journal of Political Economy. Vol. XVII, Nos. 4 to 12; Vol. XVIII, Nos. 1 to 3, April, 1909, to March.....	1910
Lend-a-Hand Record. April, 1909, to March.....	1910
Liberty and Progress. April, 1909, to March.....	1910
Literary Digest. April, 1909, to March.....	1910
L'Union Co-operative. April, 1909, to March.....	1910
National Civic Federation Review. April, 1909, to March.....	1910
Outlook, The. April, 1909, to March.....	1910
Pittsburg Legal Journal. March .....	1910
Political Science Quarterly. Vol. XXIII, No. 2, to Vol. XXV, No. 1, June, 1909, to March.....	1910
Public Opinion. April, 1909, to March.....	1910
Quarterly Journal of Economics. Vol. XXIII, No. 3, to Vol. XXIV, No. 2, May, 1909, to March.....	1910
Quarterly Review. Nos. 419 to 422, April, 1909, to January .....	1910
Royal Statistical Society, Journal of. Vol. LXXXIII, Parts 2 to 4; Vol. LXXIV, Part 1, June, 1909, to March.....	1910
Social Service. April, 1909, to March.....	1910
Socialist Review. April, 1909, to March.....	1910
Toilers of the Deep. April, 1909, to March.....	1910
Women's Industrial News (Quarterly), June, 1909, to March.....	1910



XII.—THE CIRCULATION OF THE *LABOUR GAZETTE*.

The *Labour Gazette* is published in both English and French which involves the keeping of separate mailing lists, and the printing of all notices in both languages. The number of paid subscriptions to the *Gazette* received during the past fiscal year was 7,196, the total paid circulation on the 31st of March, 1910, being 9,426. The increase in the circulation of the *Gazette* has been gradual, and the work of the branch has correspondingly increased in the nature of making entries, forwarding subscription notices, acknowledging remittances, sending out renewal subscription blanks, preparing and revising mailing lists, changing addresses of subscribers, &c. In addition to forwarding the *Gazette* to regular subscribers, many sample copies have also been sent out from the Department.

In connection with the circulation of the *Labour Gazette* for the twelve months ending March 31, 1910, 5,889 letters were received and acknowledged, 5,281 of which had reference to subscriptions to the *Labour Gazette*, 354 to a change of address on the part of subscribers, and 254 to other matters connected with the circulation.

For the same period, 28,320 pieces of mail matter were despatched from the circulation branch, representing 21,976 communications containing notices, accounts, or receipts for subscriptions; 811 other communications in connection with the circulation of the *Gazette* and 5,533 parcels.

During the fiscal year 1909-10 the average monthly circulation of the *Labour Gazette* was 13,400 copies, of which 8,873 were on account of paid circulation,\* and 4,527 to persons on the free and exchange lists. The increase in the number of names on the mailing lists over the preceding year was 394.

The following figures will show the total circulation of the *Gazette* as it was on the last day of each of the fiscal years during the period from 1900 to 1910:—

DEPARTMENT OF LABOUR, CANADA,  
STATISTICAL TABLES, X. A. R. No. 43.

TABLE SHOWING CIRCULATION OF THE *LABOUR GAZETTE* AT THE CLOSE OF EACH FISCAL YEAR FROM 1900 TO 1910 INCLUSIVE.

Year.	Annual Subscriptions.	Free and Exchange Distribution.	Total Circulation.
1900-1.....	4,391	2,158	6,912
1901-2.....	5,648	2,722	8,370
1902-3.....	7,748	3,046	10,794
1903-4.....	7,361	3,553	10,914
1904-5.....	6,645	3,717	10,362
1905-6.....	7,547	3,987	11,534
1906-7.....	8,033	4,105	12,138
1907-8.....	9,033	4,320	13,353
1908-9.....	9,338	4,472	13,810
1909-10...	9,426	4,778	14,204

\*The actual number of paid subscribers at the end of the fiscal year, March 31, was 9,426.



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The following summary will show by Provinces the number of paid subscriptions to the *Labour Gazette* at the end of the fiscal year, March 31, 1910:—

Nova Scotia .....	940
New Brunswick .....	406
Prince Edward Island .....	56
Quebec .....	2,207
Ontario .....	4,007
Manitoba .....	353
Saskatchewan .....	340
Alberta .....	357
British Columbia .....	585
The Territories .....	8
The British Empire (other than Canada) .....	43
Foreign countries .....	124
<b>Total .....</b>	<b>9,426</b>

## FREE AND EXCHANGE LISTS.

Under the head of copies of the *Labour Gazette* sent as exchanges are included *Labour Gazette* sent to public departments of the governments both Federal and Provincial, in this and other countries, and to the publishers of trade papers and labour journals in exchange for their publications. On the free list are included copies sent to members of both Houses of Parliament, commercial agents, immigration agents, public libraries, boards of trade, libraries of educational institutions, local newspapers and the officers of organizations who supply from time to time information requested by the department. The following summary will show the number of copies mailed monthly on account of exchange and free lists:—

*Exchange List.*

Department of Governments (including Federal, Provincial, British and foreign Governments and their officers) .....	509
Trade papers and labour journals .....	167

*Free List.*

Public libraries and libraries of educational institutions ..	125
Members of the House of Commons .....	221
Members of the Senate .....	87
Boards of Trade .....	276
Newspapers .....	1,075

## Labour organizations—

Nova Scotia .....	160
Prince Edward Island .....	11
New Brunswick .....	83
Quebec (copies, English and French) .....	610
Ontario .....	770
Manitoba .....	106



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Saskatchewan .....	74
Alberta .....	131
The Territories .....	7
British Columbia .....	222
	———2,174
Correspondents of the Labour Gazette (3 copies each)	144
	———
Total .....	4,472

## REVENUE OF THE "LABOUR GAZETTE."

The revenue of the *Labour Gazette* is derived from the sale of single copies and from subscriptions for one or more years. Single copies are supplied at the rate of 3 cents each, or 20 cents per dozen. The annual subscription rate is 20 cents, or when more than twelve copies are taken by the same person or institution 15 cents. Bound volumes of the *Gazette*, including the issues of each year, are sold at the rate of 75 cents per copy.

The following statement of receipts from subscriptions, and from the sale of single and bound copies of the *Gazette* during the fiscal year 1909-10 shows that the net revenue derived by the Government from this source amounted to \$1,508.84.

*Statement of the Revenue of the "Labour Gazette" for the Fiscal Year ended March 31, 1910.*

Amount received from subscriptions to <i>Labour Gazette</i> .....	\$1,483.20
Sale of single and bound copies.....	62.89
Amount received up to June 30, 1908, for subscriptions to the <i>Labour Gazette</i> which has been held pending the identifica- tion of the remitters, and which is now being paid into revenue, as no claims have been presented for same.....	1.10
	———
	\$1,547.19
Less	
Commission on subscriptions.....	\$37.72
Fees paid for postal notes transmitting amounts due as commission on subscriptions.....	.63
	———
	38.35
	———
	\$1,508.84



### XIII.—THE DISTRIBUTION OF THE *LABOUR GAZETTE* AND OTHER PUBLICATIONS.

The *Labour Gazette*, with some exceptions, is mailed from the Government Printing Bureau, under the supervision of the Department of Labour, this work necessitating the preparation of a mailing list and its constant revision, also the enclosing and addressing of copies of the *Gazette* each month to names and addresses given on the mailing list. To expedite delivery, the several copies of the *Gazette* are sorted and distributed into mail bags, suitably labelled, for their destination in the several localities throughout the Dominion. Not only is time saved in this way, but work of the employees of the City Post Office is considerably lessened.

In addition to copies of the *Gazette* mailed regularly each month to subscribers, or as exchanges, etc., copies of the *Gazette* are sent out from time to time as samples. Single copies are also mailed from day to day in reply to requests for the same, or in connection with answers sent by the Department to inquiries on subjects which may have been dealt with, either in part or in whole, in the *Labour Gazette*, but a limited number of all copies already issued is kept on file for the same purpose.

During the fiscal year 1909-10, copies of the individual numbers contained in Volumes IX-X of the *Labour Gazette* to the number of 162,996, were distributed, 137,587 in English and 25,409 in French, also 3,528 copies in English and 868 in French of individual numbers of the *Gazette* of previous years, making a total distribution for the fiscal year of 162,996, or an average monthly distribution of 13,949.

In addition to copies of the *Labour Gazette* distributed there were mailed from the Department 244 copies of bound volumes of the *Labour Gazette*; 1,195 copies of the Annual Report of the Department; seven copies of the report and evidence of the Royal Commission appointed to investigate the cause of industrial disputes in British Columbia; four copies of the report and evidence of the Royal Commission appointed to inquire into alleged employment of aliens by the Grand Trunk Pacific Railway Company; three copies of the report and evidence of the Royal Commission appointed to inquire into alleged employment of aliens by the Pere Marquette Railway Company; four copies of the report of the Royal Commission appointed to inquire into the influx of Italian labourers into Montreal and alleged fraudulent practices of employment agencies; forty-nine copies of the report of the Royal Commission appointed to inquire into the dispute between the Bell Telephone Company and its operators at Toronto; 101 copies of the report of the Royal Commission appointed to inquire into the methods by which Oriental labourers have been induced to come to Canada; twelve copies of a report on methods adopted in carrying out Government clothing contracts; forty-seven copies of the report of the special committee of the House of Commons to which was referred "Bill No. 2", an Act respecting Industrial and Co-operative Societies; ninety-four copies of the report on the need for the suppression of the



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opium traffic in Canada; 181 copies of the report of the Royal Commission appointed to investigate the losses sustained by the Chinese population of Vancouver, B.C., on the occasion of the riots in that city in September, 1907; 189 copies of the report of the Royal Commission appointed to investigate the losses sustained by the Japanese population of Vancouver, B.C., on the occasion of the riots in that city in September, 1907; 181 copies of the report by W. L. Mackenzie King, C.M.G., on a mission to England to confer with the British authorities on the subject of immigration to Canada from the Orient and immigration from India in particular; 821 copies of the report of the Royal Commission appointed to inquire into industrial disputes in the cotton factories of the Province of Quebec; seventeen copies of article on settlement of coal miners' strike at Lethbridge, Alberta, under Conciliation Act, 1900; ten copies of article on settlement of dispute between Western Operators and employees; 759 copies of the report of the Deputy Minister of Labour on Industrial Conditions in the Coal Fields of Nova Scotia; sixty copies of an Act respecting Conciliation and Labour; 475 copies of the Industrial Disputes Investigation Act, 1907; 162 copies of the statement of proceedings under the Industrial Disputes Investigation Act, 1907, from March 22, 1907, to March 31, 1909; 7,340 copies of indices to Volume IX, of the *Labour Gazette*, and in addition to the distribution of these several reports, etc., communications in the nature of circular letters having reference to investigations being made by the Department, and miscellaneous publications of one kind and another were mailed to the number of 4,144, making a total in all of 183,479 separate communications or publications mailed by the Department through its Distribution office in addition to the correspondence of other branches of the Department, during the fiscal year ending March 31, 1910.

The following table is arranged to show by months the number and nature of the publications mailed from the Distribution branch of the Department during the fiscal year 1909-10.



TABLE SHOWING NUMBER OF LABOUR GAZETTES AND OTHER DEPARTMENTAL PUBLICATIONS MAILED FROM THE DISTRIBUTION OFFICE OF THE DEPARTMENT OF LABOUR DURING THE FISCAL YEAR ENDED MARCH 31, 1910.

Name of Publication.	Months.												Number of Publications distributed 1909-10.
	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	
Labour Gazette, Individual copies, Vol. X., English...	11,900	11,569	11,560	11,400	11,299	12,100	11,702	11,602	11,700	11,055	11,100	10,600	137,538
" " Miscellaneous, " " " "	633	166	200	420	601	600	169	152	101	164	140	162	3,523
" " Bound Volumes, " " " "	3	...	100	...	...	2	...	98	5	...	12	...	220
" " Individual, " " " "	2,300	2,201	2,100	2,020	2,000	2,030	2,015	1,985	2,000	1,948	2,710	2,100	25,409
" " Miscellaneous, " " " "	31	51	31	72	150	200	90	65	34	58	36	50	863
" " Bound Volumes, " " " "	11	...	2	...	9	...	...	1	1	...	...	...	24
Annual Reports, 1906-07, 1907-08, 1908-09, English...	17	42	13	45	18	20	24	830	52	25	42	33	1,161
" " 1906-07, 1907-08, 1908-09, French...	2	...	...	13	7	3	...	...	1	8	...	...	34
" " Miscellaneous copies...	...	...	...	...	...	...	...	...	...	...	...	...	...
Report and evidence of Royal Commission on Industrial Disputes in British Columbia...	...	2	...	1	...	...	...	3	1	...	...	...	[7]
Report and evidence of Royal Commission on employment of aliens by Grand Trunk Pacific Railway Company...	...	...	3	...	...	1	...	...	...	...	...	...	[4]
Report and evidence of Royal Commission on employment of aliens by P&E Marquette Railway Company...	...	...	...	...	...	2	...	1	...	...	...	...	[3]
Report and evidence of Royal Commission on influx of Italians at Montreal and fraudulent practices of employment agencies...	...	...	...	...	...	...	1	1	2	...	...	...	[4]
Report of Royal Commission on Dispute between Bell Telephone Company and its employees, Toronto...	3	5	5	7	2	6	3	3	2	13	13	...	49
Report of Royal Commission on methods by which Oriental labour was induced to come to Canada...	...	...	5	9	21	30	11	9	6	25	16	20	101
Report on methods adopted in carrying out Government clothing contracts...	...	...	...	...	...	...	1	10	...	1	...	...	12
Report of Special Committee of the House of Commons on Bill No. 2 re co-operative Societies, English...	5	...	...	...	10	...	4	2	2	3	...	...	26
" " " " French...	2	...	...	...	...	...	12	...	5	2	...	...	21
Report on needs for the suppression of the Opium Traffic in Canada...	17	5	8	...	...	...	6	15	9	10	12	12	94
Report on the losses sustained by the Chinese population of Vancouver, B.C., by riots, September, 1907...	18	5	9	9	21	30	25	15	9	12	16	20	189
Report on the losses sustained by the Japanese population of Vancouver, B.C., by riots, September, 1907...	18	5	9	9	21	30	25	15	9	12	16	20	189
Report of Mission to England re Immigration to Canada from the Orient, and India in particular...	16	5	9	9	21	23	26	15	9	12	16	20	181
Report of Royal Commission appointed to inquire into Industrial Disputes in the cotton factories of Province of Quebec...	285	20	26	30	*331	85	10	5	12	5	12	...	821

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#### XIV.—INQUIRIES, CORRESPONDENCE AND OTHER DEPARTMENTAL WORK.

Elsewhere in the present report allusion has been made to the very large number of inquiries which have been received from various parts of Canada, from the United States, and from other countries with respect to the Industrial Disputes Investigation Act and to the effect which this legislation has had in the prevention and settlement of industrial disputes. Reference has been made also to the duty which is discharged by the Department in the preparation of Fair Wages Schedules for insertion in Government contracts, and to complaints which have been made by and on behalf of individual workmen respecting alleged infringement of this Fair Wages Policy on the part of certain contractors which have in each case been inquired into by officers of the Department of Labour, resulting in a number of cases in the recovery from the contractors of sums which have been wrongfully withheld from their employees.

Many communications have been received with respect to various measures before the Dominion Parliament by which the interests of labour were in any way affected, and in relation also to the Bill to provide for the investigation of Combines, Monopolies, Trusts and Mergers, which was introduced by the Minister of Labour in the House of Commons on January 18, and which passed into law at the close of the Parliamentary session. During the interval of twelve weeks which elapsed between the introduction of this Bill in Parliament and its second reading many requests were received for information in regard thereto, and various representations were made on behalf of the interests concerned.

In addition to the foregoing the miscellaneous correspondence has been very large, and has shown a growing interest on the part of the public in the work of the Department of Labour and in the social, industrial and economic problems with which the Department is concerned.

Some of the very many subjects concerning which inquiries have been received during the past year have been as follows: Wages and hours and conditions of labour in Canada; the laws of Canada and of its various Provinces relating to labour; the prices of various commodities and the cost of living in Canada; the social and economic conditions of the working classes; the resources and the economic development of Canada; the condition of the labour market in respect of various departments of industry including agriculture, mining, lumbering, railway construction, manufacturing, etc.; the organization of labour in Canada, and the names and addresses of labour unions and of labour leaders; manual training and technical education; co-operation; child and female labour; alien labour; Sunday labour; industrial accidents; strikes and lockouts; factory and mines' inspection; old age pensions and annuities; public ownership; the operations of employment agencies; the reports of Commissions of Inquiry with respect to Italian, Chinese, Japanese and Hindu immigration; statistics regarding the numbers of workers employed in various departments of industry and in various



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centres of population in Canada; the effects of certain employments on the employees' health; building operations in Canadian cities; the names of large employers of labour in Canada; and the opportunities for the investment of capital in various industries in Canada.

On December 17, 1909, a despatch was received through the Department of External Affairs from the Colonial Office, in which attention was directed to a memorandum concerning the use of white phosphorus in the manufacture of matches. In this memorandum it was stated that the use of this substance engendered a disease known as "phossy" jaw, or, scientifically, as necrosis; and, that a number of countries, including the United Kingdom, had already taken measures to forbid the importation and sale of white phosphorus matches. Inquiry was made in the despatch of the Colonial Office whether the Government of Canada was desirous of participating in a convention with various foreign countries for the prohibition of the use of white phosphorus in this department of industry. On receipt of the above mentioned despatch the substance of the memorandum was communicated to the Provincial Secretaries of the several Provinces in order that it might be ascertained whether white phosphorus was in use in the manufacture of matches in any of the Provinces; also whether regulations on this subject had been made by any of the Provinces. At the close of the fiscal year the correspondence in question had not been completed.

Among those from whom requests have been received for information regarding the prices of certain commodities and the cost of living in Canada were the following: the Honourable Henry Cabot Lodge, Chairman of the United States Senate Committee on Wages and the Prices of Commodities; Colonel John G. Foster, American Consul-General, Ottawa; the Massachusetts Commission on the Cost of Living; the Commissioner of the Trust and Loan Company of Canada, Montreal; the Spectator Publishing Company, of Hamilton, Ont.; the City Solicitor of Saskatoon, Sask.; the International Brotherhood of Maintenance-of-Way Employees, St. Louis, Mo.; and His Majesty's Trade Commissioner to the Dominion of Canada.

The Department was also called upon for information to be used in a debate in Galt, Ont., on the subject—"Resolved that Canada is the best country in the British Empire for the workingman," and for a debate in Vancouver, B.C., on the subject of Public Ownership, and also for a debate in Hamilton, Ont., on the subject of Private vs. Public Control of Public Utilities. In addition to the foregoing, request was also made for information and material to be used in a course of reading on Social Science, particularly Political Purity; and for use in the study of Political Science.

A letter was received from a Chicago firm in which inquiry was made respecting the present condition of the condensed and evaporated milk industry in Canada, the firm in question having under consideration the establishment of factories in Canada for the manufacture of this product.

A Pittsburg correspondent made inquiry concerning the consumption of plate glass in Canada, and the duties thereon, the object being to promote the establishment of plate glass works in this country.

Information was furnished a Montreal wholesale firm which applied to the Department for the rates of wages paid by the cleaners and packers of raisins and currants in Greece.



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A request was received from the associated editor of the *Frankfurter Zeitung*, in Washington, for information concerning the economic development and possibilities of Western Canada.

A communication was received from Professor B. Attolico, Italian Inspector of Emigration at New York, which was brought to the attention of the Commissioners of the Transcontinental Railway, regarding the complaints of certain Italians employed as station men in the construction of the Transcontinental Railway.

An effort was made to procure for the Consul-General for Austria-Hungary particulars with regard to the death by dynamite explosion in 1906, of an Austrian labourer.

A Chicago correspondent requested copies of such Departmental publications as might prove useful in compiling a set of text books on Economics.

In response to a request from the Paris representative of *L'Independance Belge*, newspaper of Brussels, Belgium, information was supplied regarding the various features of Canadian labour legislation. The letter stated that it was the intention of that newspaper to devote space to a study of Canadian problems.

Arrangements providing for an exchange of official publications which other Governments have been sending to the International Institute of Agriculture at Rome, Italy, have been concluded, through the Department of Agriculture, with the Governments of the following countries: Great Britain, the United States, Italy, France, India, Argentine Republic, New Zealand, Australia and New South Wales.

A Boston counsellor-at-law requested special information respecting Canadian industrial and co-operative societies, stating that the same would be of great service in connection with a plan to establish organizations in Massachusetts.

A request was received from Johannesburg, South Africa, for information with respect to such social and political problems as would likely come before the South African Parliament.

Several communications were received during the year with regard to the law respecting the immigration and employment of aliens, commonly known as the Alien Labour Act. In a number of these communications complaint was made regarding alleged violations of this law in different parts of Canada. In other cases request was made for information regarding the procedure to be followed under this statute. As originally enacted in 1897, and amended in 1898, the Alien Labour Act required that no proceedings should be instituted thereunder without the consent of the Attorney-General of Canada or some person duly authorized by him, but complaint was made that this method of procedure made it difficult for persons who believed themselves to have suffered through violations of the Act to secure immediate redress, and the statute was accordingly further amended so that parties desirous of bringing suit might proceed in the local courts without reference to the Federal authorities. The Act was also amended in such other respects as experience had shown desirable, and appears in the Revised Statutes of Canada, 1906, as Chapter 97, Volume II, page 1753, "An Act respecting the Importation and Employment of Aliens." In the January 1910, and the February 1910, numbers of the *Labour Gazette*, the official monthly journal of the Department of Labour, at pages 831 and 934 respectively, reference was made to the hearing of cases under this statute.



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## CONCLUDING REMARKS.

As intimated in the introductory chapter, the year has been more than ordinarily eventful because of the appointment of a ministerial head and the consequent expansion and increased importance of its worth. I have only to state in conclusion that I have continued to receive the efficient assistance and co-operation of the various officers of the department who appear to be imbued generally, with a due appreciation of the important interests of the work to which their labours are devoted.

F. A. ACKLAND,

*Deputy Minister of Labour.*







APPENDIX TO ANNUAL REPORT  
OF THE  
DEPARTMENT OF LABOUR  
FOR  
THE FINANCIAL YEAR ENDING MARCH 31, 1910.  
INCLUDING  
A STATEMENT OF THE PROCEEDINGS FOR THE YEAR UNDER THE  
INDUSTRIAL DISPUTES INVESTIGATION ACT, 1907







**I.—APPLICATION FROM EMPLOYEES OF THE KINGSTON AND PEMBROKE RAILWAY COMPANY, MEMBERS OF THE ORDER OF RAILROAD TELE-GRAPHERS.—BOARD ESTABLISHED—AGREEMENT CONCLUDED ON ALL POINTS, A STRIKE BEING THEREBY AVERTED.**

*Application received.*—December 26, 1908.

*Parties concerned.*—Kingston and Pembroke Railway Company and employees, members of the Order of Railroad Telegraphers.

*Applicants.*—Employees.

*Nature of industry concerned.*—Railways.

*Nature of dispute.*—Wages and conditions of labour.

*Number of employees affected.*—Directly, 19; indirectly, 1,600.

*Date of constitution of Board.*—January 15, 1909.

*Membership of Board.*—His Honour R. D. Gunn, Ottawa, Ont., Junior Judge of the County of Carleton, Chairman, appointed by the Minister in the absence of any joint recommendation from the other members of the Board; Mr. J. L. Whiting, K.C., Kingston, Ont., appointed on the recommendation of the employing Company; and Mr. J. G. O'Donoghue, Toronto, Ont., appointed on the recommendation of the employees.

*Report received.*—April 22, 1909.

*Result of inquiry.*—No cessation of work.

The Minister received on April 22, the report of the Board established in the case of the dispute between the Kingston and Pembroke Railway Company and certain of its employees, members of the Order of Railroad Telegraphers. The dispute in question concerned: (1) the schedule relating to and governing the duties, hours of employment, overtime and classification of employees and their services generally; (2) the rates of wages of the telegraph employees.

In the application of Mr. D. Campbell, third vice-president of the Order of Railroad Telegraphers, and Mr. A. Forsythe, of Harrowsmith, for the appointment of this Board, it was stated that the dispute affected directly 19, and indirectly 1,600 persons.

Mr. John G. O'Donoghue, of Toronto, was appointed a member of the Board on the recommendation of the employees. Mr. J. L. Whiting, K.C., of Kingston, was on the recommendation of the Company, appointed the second member of the Board. In the absence of any joint recommendation from the two members of the Board thus appointed, the Board was completed by the appointment of His Honour R. D. Gunn, of Ottawa, junior judge of the county of Carleton.

Sittings of the Board were held at various places, and in the report, which was signed by the three members, it was stated that 'the matters of difference have been settled unanimously by the Board and the whole schedule approved of as attached hereto.'



## REPORT OF BOARD.

The text of the findings of the Board is as follows:—

In the matter of the Industrial Disputes Investigation Act, 1907, and of a dispute between the Kingston and Pembroke Railway Company, employer, and employees members of Order of Railroad Telegraphers, employees.

To the Hon. RODOLPHE LEMIEUX,  
Minister of Labour,  
Ottawa, Ont.

The Board of Conciliation and Investigation established under the provisions of the Industrial Disputes Act, 1907, to which the above dispute was referred under the provisions of the said Act, having concluded their duties, beg to report as follows:—

The Board convened at the court-house in the city of Kingston, pursuant to appointment, on Monday, the 1st day of February, A.D., 1909, and were attended by R. V. Rogers, Esq., and F. Conway, Esq., director and superintendent, respectively, of the Kingston and Pembroke Railway Company, on behalf of the employer, and David Campbell, Esq., D. G. Robertson, Esq., officers of the Order of Railway Telegraphers, and Messrs. A. Forsythe, L. A. Cameron and S. Campbell, committee representing the employees.

The different matters in dispute set out in the application to your department shaped themselves into two main branches, viz.:—

1. The schedule relating to and governing the duties, hours of employment, overtime, and classification of employees and their services generally.
2. The rates of wages of the telegraph employees.

Mr. Campbell outlined the facts and circumstances leading up to an application for an appointment of a Board and the difficulty the employees encountered because of the entire absence of any schedule defining and governing the duties or rates of wages of the telegraphers and the patient endeavour to effect an agreement with the Company on these two main points.

The schedule of wages demanded and many other points were strongly combatted by the Company, who earnestly pressed the Board and the employees' representatives with the necessity of making an inspection of the railway line, its terminals, junctions, stations and branches before making any ruling on the matters submitted.

After some discussion, the Board concluded that the proper procedure would be:—

1. To settle the schedule defining duties of telegraph employees.
2. The rates of wages of telegraph employees.

The railroad is only 104 miles long, having terminals at Kingston and Renfrew and a junction with the Canadian Pacific railway at Sharbot lake, and another with the Bay of Quinte railway at Harrowsmith, and believing much light would be let into the dispute and the Board thereby put in possession of better knowledge of the true position of both parties, and having failed to close a full settlement of all differences, the Board deemed it wise to make the inspection pressed for by the company, which was done without any increased expense or loss of time.

With the assistance of the Board and after full consideration and discussion the parties were able to agree upon most of the rules incorporated in the accompanying schedule 'A' hereto. The matters of difference have been settled unanimously by the Board and the whole schedule approved of as attached hereto. The main point of difference was as to the inclusion in the schedule of the train despatcher at Kingston.



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He is the only despatcher in the employment of the road, but, in view of the claim made by the Company that this employee is in reality a chief despatcher with peculiar duties attached to his position, the Board has not included him in the schedule.

The parties represented to the Board that they had conferred together and offers had been made by the employees to the Company with the hope of an adjustment of the question of wages, but the Company's representatives not being authorized to make any settlement of the wages other than the acceptance of complete abandonment by the employees of the claim for any increase, desired to submit the offers to the head office, which necessitated some delay, and adjournment was made with all parties in a conciliatory frame of mind.

Several sittings of the Board have been held at different places and a great amount of negotiation has taken place, and the Board are unanimously of the opinion that the offer of the Company of an increase of \$540,000 a year (being \$45 per month) to be divided amongst the telegraph employees covered by the schedule as may be agreed upon by the committee acting for the employees and the General Superintendent for the road, should be accepted by the men.

The Board cannot close its report without expressing its appreciation of the assistance received from the representatives of the men and of the Company, and it acknowledges, with much pleasure, the great credit due Mr. Conway, the General Superintendent of the road for the very material assistance he gave the Board in every way during the course of the proceedings.

The Board is of opinion that the schedule and increase should go into effect as of and from January 1, 1909.

All of which is respectfully submitted.

W. D. GUNN,  
*Chairman.*

J. L. WHITING,  
J. G. O'DONOGHUE.

Dated April 20, 1909.



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*Schedule 'A' to Report.—Kingston and Pembroke Railway Company.*

## RULES AND RATES OF PAY FOR TELEGRAPHERS.

Effective January 1, 1909.

The following rules and rates of pay will govern the telegraphers on the Kingston and Pembroke railway. When additional telegraphers' positions are created, compensation will be fixed in conformity with that for positions of the same class as shown by this schedule.

## ARTICLE 1.

All employees assigned by proper authority to railway telegraph service of any character or duration, except the Kingston despatcher, and also the station agents incorporated in the accompanying schedule will be considered telegraphers within the meaning of this schedule, and are so called herein.

## ARTICLE 2.

Clause A. The right of promotion of telegraphers will extend over the line of the Kingston and Pembroke Railway Company, and will be governed by merit, fitness and ability; when these are sufficient the senior telegrapher will be given the preference.

Clause B. A telegrapher's seniority will date from the time he last entered the service as a telegrapher.

Clause C. All vacancies and permanent appointment will be immediately bulletined by circular. Applications for vacancies must be made within ten days from date of bulletin. A telegrapher declining to accept promotion in any instance does not forfeit his rights to the same or any other position he may be entitled to under seniority when a vacancy occurs. A telegrapher on leave of absence when a vacancy occurs will not be debarred from claiming the position and receiving the appointment on resuming duty if entitled to it. A vacancy will be filled within thirty days after it occurs by the appointment of the man entitled to it. When a vacancy occurs the Superintendent will fill the same by appointing the senior man who is in his opinion entitled to it, but this will not prevent any telegrapher senior to the man so appointed claiming his rights under Clause 'A' hereof to the position, providing he files his protest within ten days after the appointment has been bulletined.

Clause D. In case of reduction in the number of telegraphers employed, the junior telegraphers will first be dispensed with.

Clause E. If a position included in the attached schedule is abolished the telegrapher will be entitled to the position held by the junior permanently located telegrapher.

Clause F. A complete list of all the telegraphers showing their seniority standing will be kept on file in the Superintendent's office, open to the inspection of all the telegraphers concerned. This list will be subject to correction on representation from any telegrapher, and a copy of it corrected to date will be furnished the Local Chairman at the beginning of each year.

Clause G. Telegraphers will have the exclusive right to any position incorporated in the wage schedule, and any telegraphers' positions subsequently added in accordance with the preamble, subject to the provisions of the above sub-clause 'A.'

Clause H. Telegraphers will also be eligible and considered in the line of promotion to the position of Agents at any of the stations not incorporated in the attached wage schedule which have been omitted in view of conditions which may make it impracticable or unfair to fill these positions exclusively from one branch of the service.



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## ARTICLE 3.

No telegrapher shall be suspended except for investigation or discharged until his case has been investigated and he has been proven guilty of the offence charged against him, the decision in such case to be arrived at within ten days from the date of such suspension. If a telegrapher is found blameless in the matter under investigation, he will be paid schedule rates for time lost and extra expenses while attending such investigation, if away from home, and be reinstated. If detained more than ten days awaiting investigation at the company's instance he will be paid schedule wages for the time in excess of ten days whatever the decision may be.

Telegraphers may have the assistance of a co-telegrapher, if they so desire. A written statement setting forth the result of an investigation and the reasons therefor will be furnished by the Company to the Local Board of Adjustment if requested by it.

## ARTICLE 4.

Lack of convenience such as school facilities, etc., will be taken into consideration in location of telegraphers, but only when this can be done without infringing on the rights of their seniors in the service.

## ARTICLE 5.

Telegraphers serving on Board of Adjustment representing telegraphers will be relieved without unnecessary delay (not to exceed ten days) and will be furnished transportation for such purposes.

## ARTICLE 6.

Telegraphers will be granted free transportation and leave of absence to attend their meetings, such free transportation will not extend beyond the line of the Kingston and Pembroke Railway Company, and the leave of absence will not exceed two days, and will only be granted when it will not interfere with the requirements of the traffic and the service, and provided the Company is not thereby put to any additional expenses.

## ARTICLE 7.

When a telegrapher is transferred by order of the proper official he will suffer no loss of schedule wages in consequence thereof, and will be allowed reasonable time (not to exceed four days and without pay) to arrange for the shipment of his household goods.

## ARTICLE 8.

Telegraphers attending court, or investigation at the request of the proper official of this Company will have their extra expenses paid by the Company in addition to their schedule wages.

## ARTICLE 9.

Telegraphers will not be required to teach telegraphy or admit students, not members of the station staff, to their offices.

## ARTICLE 10.

Telegraphers required to work at wrecks, wash-outs and slides will, in inclement weather, be provided with shelter and be paid the necessary expenses for the time away from home.

## ARTICLE 11.

A telegrapher securing employment with the Company will within thirty days from the date of employment have returned to him all service cards and letters of recommendation which have been taken up by the company, except any previously issued by the Company.



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## ARTICLE 12.

A telegrapher leaving the service of the Company will, on request, within five days be furnished with a certificate by the proper official stating term or terms of service, capacities in which employed, and whether discharged or leaving the service of his own accord. If discharged, cause of dismissal will be stated.

If detained more than five days waiting such certificate will be paid schedule wages for all time in excess of five days. Unless otherwise requested, this certificate will be mailed to the telegrapher at the place of last employment.

## ARTICLE 13.

Telegraphers will be exempt from shovelling snow, stencilling cars, sifting coal ashes, attending to flower gardens, scrubbing the stations, cutting or piling wood.

The unloading of way-freight from cars and putting away into sheds shall be done jointly with trainmen.

## ARTICLE 14.

At stations where dwellings and fuel are provided, the dwelling will, as far as practicable, be reserved exclusively for the use of the agent and his family unless he elect to reside elsewhere. Agents not furnished with dwellings will be allowed coal for one stove. When wood is supplied for fuel it will be cut in length not exceeding 16 inches.

A telegrapher occupying a Company's dwelling who is dismissed from the service will be allowed to retain the possession of the dwelling until he has been paid all moneys due him by the Company. The Company will keep its dwellings in good repair; occupants must keep such dwellings and their surroundings clean and must pay for repairs other than those due to ordinary wear and tear.

## ARTICLE 15.

Telegraphers required to work on Sundays will be paid extra *pro rata* on schedule salary for such service, based on thirty days per month (any portion of an hour less than thirty minutes not to count, any portion of an hour, thirty minutes or over, to count as one hour), with a minimum compensation of twenty-five cents (25c.) for each call for which one hour's service shall, if required, be rendered.

Telegraphers will be required to handle commercial messages on Sunday only during hours required for railway service, except on arrangement.

Telegraphers required for Sunday duty other than attendance on regular passenger trains will be so advised the previous day.

## ARTICLE 16.

If telegraphers are required to attend to switch or semaphore lamps they will receive four dollars (\$4) per month for six or less such lamps, and fifty cents (50c.) per month for each additional switch or semaphore lamp at such station.

Nothing in this article will relieve telegraphers from their responsibilities under the rules.

Telegraphers will keep train-order signal lamps cleaned and in good condition and lighted when required without extra compensation.

## ARTICLE 17.

Telegraphers who attend pumping engines or wind mills, which work will be optional, will be paid five dollars (\$5) per month for such engines or wind mills.

## ARTICLE 18.

A telegrapher required to leave his permanent location to do relief work temporarily will be allowed all necessary expenses not exceeding seventy-five cents per day (75c.) on production of voucher.



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Other telegraphers doing relief work will be paid the same wages, without expenses as the telegraphers relieved, provided wages are not less than his own.

## ARTICLE 19.

Railway telegraphers will, during office hours, handle all commercial telegraphy and express business offered them, and will be permitted to receive the usual commissions from the telegraph and express companies for such services.

## ARTICLE 20.

Clause A. Twelve consecutive hours, including meal hours, shall constitute a day's work for all telegraphers except train despatchers. Except in cases of emergency, telegraphers will have eight consecutive hours' rest per day.

Clause B. Telegraphers working ten hours or more will be allowed sixty consecutive minutes for a meal between either 7 a.m. and 9 a.m., or 12 noon and 2.30 p.m.

This will not apply to service rendered the express or commercial telegraphers business.

Clause C. Overtime will be computed *pro rata* on schedule wages based on thirty days per month, but in no case at less than twenty-five cents (25c.) per hour (less than thirty minutes not to count), thirty minutes or over to count as one hour, except that telegraphers required to return to or remain on duty after regular hours will be allowed one hour overtime for the first hour or any portion thereof.

Clause D. The regular hours of duty will be specified by the superintendent to all telegraphers.

If required for service outside these hours, telegraphers will be given an official order as authority and excused in the same manner.

Clause E. Overtime will not be allowed unless overtime tickets are mailed to the proper official within forty-eight hours from the time such service is performed, setting forth the reason for disallowance.

Telegraphers will number overtime tickets consecutively for each month.

If overtime as claimed is not allowed, telegraphers will be notified in writing within ten days from the time such service is performed, setting forth the reason for disallowance.

## ARTICLE 21.

If a telegrapher considers himself overtaxed, his statement to that effect to the proper official will be carefully considered, and, if well founded, relief will be granted.

## ARTICLE 22.

When the handling of express and telegraph business, for which a commission payment is allowed, is withdrawn from any telegrapher, through no fault of his, the wages will be adjusted to conform with that of similar stations where such work is not performed.

## ARTICLE 23.

When a telegrapher is assigned to a position and after a fair trial is found incompetent, he will take his place on the extra list, retaining his seniority rights.

## ARTICLE 24.

Train despatchers will be allowed three weeks' leave of absence each year with full pay.

Telegraphers who have been in the employ of the Company for four or more consecutive years will be allowed two weeks' absence each year with full pay.

If the Company finds it inconvenient to grant leave of absence during any year to a telegrapher entitled to it under this rule the telegrapher shall, at his option, receive either compensation at his regular salary for the period, or in the next year an additional leave of absence for like period.



Application for leave of absence filed in January of each year will be given preference in order of seniority of applicant, and applicants will be advised in February of dates allotted them. January applicants will have preference over later applicants, and applicants after the 30th September will not be entitled to salary compensation if the Company is unable to relieve them in that year. The Company will, as far as practicable, relieve all applicants during summer season when so desired.

In the event of a telegrapher being discharged or leaving the service on proper notice before obtaining the deferred leave of absence he will be paid his salary for same.

ARTICE 25.

Telegraphers will be granted transportation for their household goods and passes or reduced rates and a leave of absence in accordance with the general regulations of the Company as established from time to time.

ARTICLE 26.

Applications may be made to the General Superintendent direct for general revisions of schedule.

ARTICLE 27.

When an agent is relieved the incoming agent is to be allowed for time necessarily occupied in travelling; the outgoing agent will be allowed up to the time the transfer is completed.

ARTICLE 28.

Wage Schedule.

Station.	Position.	Salary.	Dwelling house.
Harrowsmith.....	Agent.....	.....	No.
Hartington.....	".....	.....	"
Verona.....	".....	.....	"
Godfrey.....	".....	.....	"
Parham.....	".....	.....	"
Oso.....	".....	.....	"
Clarendon.....	".....	.....	Yes.
Mississippi.....	".....	.....	No.
Snow Road.....	".....	.....	"
Lavant.....	".....	.....	"
Folger.....	".....	.....	"
Flower.....	".....	.....	"
Calabogie.....	".....	.....	"
Renfrew Jet.....	".....	.....	"

Relieving agents and operators will be paid actual expenses, not to exceed seventy-five cents (75c.) per day while away from headquarters.

ARTICLE 29.

(Old Article 33.)

There will be no change in the foregoing rules and rates of pay except on thirty days' notice.

(Sgd.) J. L. WHITING,  
For the Company.  
(Sgd.) J. G. O'DONOGHUE,  
For the Telegraphers



SESSIONAL PAPER No. 36

**II.—APPLICATION FROM EMPLOYEES OF THE DOMINION COAL COMPANY,  
OF GLACE BAY, N.S., MEMBERS OF THE UNITED MINE WORKERS  
OF AMERICA—BOARD ESTABLISHED—EMPLOYEES CEASED WORK.**

*Application received.*—March 4, 1909.

*Parties concerned.*—Dominion Coal Company, Glace Bay, C.B., and employees, members of the United Mine Workers of America.

*Applicants.*—Employees.

*Nature of industry concerned.*—Coal mining.

*Nature of dispute.*—Alleged discrimination against certain employees, members of the United Mine Workers of America; recognition of U. M. W. A.

*Number of employees affected.*—3,000.

*Date of constitution of the Board.*—March 22, 1909.

*Membership of Board.*—His Honour W. B. Wallace, County Judge, Halifax, N.S., Chairman, appointed by the Minister in the absence of any joint recommendation from the other members of the Board; Mr. G. S. Campbell, Halifax, N.S., appointed by the Minister in the absence of a recommendation from the employing Company; and Mr. Daniel McDougall, Glace Bay, C.B., appointed on the recommendation of the employees.

*Report received.*—April 16, 1909.

*Result of inquiry.*—The employees concerned being unwilling to accept the findings of the Board, a strike was declared on July 6, which had not been concluded on March 31, 1910, although it was claimed by the Company that conditions in its mines had ceased to be affected.

The Minister received on April 16 the report of the Board established in the case of the dispute between the Dominion Coal Company and its employees. In this report the grievances referred for investigation were summarized as follows:—

(a) That men were discharged or threatened with dismissal because they were members of the United Mine Workers of America.

(b) That the private police force of the Company loitered around the meetings of the United Mine Workers' Association and intimidated the members.

(c) That in general the Company carried out a policy of discrimination against members of the United Mine Workers' Association.

(d) That the Company refused to receive committees of the United Mine Workers' Association, or in any other way to recognize that organization.

In the application of Messrs. James D. McLennan and Peter Patterson, officers of the U. M. W. A., for the appointment of this Board, it was stated that approximately 3,000 persons were actually affected by the dispute, this being the number of employees of the Dominion Coal Company who had become members of the U. M. W. A., but, it was added, that as the U. M. W. A. was increasing in numbers daily, the dispute was likely to affect the whole body of the Dominion Coal Company's employees, numbering 6,500 workmen.

Mr. Daniel McDougall was appointed a member of the Board on the recommendation of the employees. The Company declined on its part to submit any recommendation, and in the absence of such recommendation Mr. G. S. Campbell, of Hali-



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fax, was appointed the second member of the Board. The two members of the Board thus appointed were unable to agree upon a chairman, and in the absence of such a joint recommendation, the Board was completed by the appointment of His Honour Judge Wallace, of Halifax, as Chairman.

The employees were represented at the hearings by three of their members. The Company was not represented at the first sitting, but the Board having decided to subpoena the general manager and certain officers of the Company, these gentlemen undertook to appear. The Company and employees respectively were also accorded the privilege of being represented by counsel.

The employees concerned being unwilling to abide by the findings of the Board in this matter, a strike was declared on July 6 of such of the Company's employees, to the number of 3,000, as belonged to the United Mine Workers of America. A considerable number of the Company's employees, members of the Provincial Workmen's Association, declined to participate in the strike, and on December 31 renewed for a period of two years the agreement which the Dominion Coal Company had entered into with that organization on March 16, 1908, and which was based on the award of the Board of Conciliation and Investigation established under the Industrial Disputes Investigation Act. It was claimed by the Company that the output of coal from its mines during the winter months had practically ceased to be affected by the strike, although a considerable number of workmen, members of the United Mine Workers of America, still remained on strike at the end of March, 1910.

The report of the Board, as received in the Department, was signed by His Honour Judge Wallace and by Mr. G. S. Campbell. Mr. McDougall was unable to concur therein, and embodied his views, accordingly, in the form of a minority report.

As to the allegation that men were dismissed or threatened with dismissal because they were members of the U. M. W. A., the Board found that this charge was not substantiated by the evidence. The report also declared that the claim of the U. M. W. A. that the Company's police force loitered around their meetings and intimidated their members was not sustained.

An important question submitted for the consideration of the Board was whether the Company was justified in giving a preference to the P. W. A. On this subject the report says:—

‘Without dealing with the question whether a Company has a right under ordinary circumstances, in engaging workmen to show a preference for the members of one labour union to those of another labour union, in the present case there were special circumstances which made the preference, undoubtedly shown by the Company, a natural and reasonable one. As the result of the award of a previous Board of Conciliation, the Provincial Workmen's Association, representing the workmen, became a formal party to that award, unqualifiedly accepted its terms, and it was reasonable that in the carrying out of the Company's operations under the award, the Company should give special recognition to the men who could be relied upon to abide by its terms, in preference to the men who had not assented to its terms and some of whom were known to the Company as condemning the terms of the award.’

#### AS TO RECOGNITION OF U. M. W. A.

In the Board's opinion, the most important question which came before it was that of the recognition of the U. M. W. A. This organization claimed the right to approach the management of the Company by a committee, as is now done by the P. W. A., and the Company refused to recognize that right. It was impracticable, the Company said, to deal with two separate committees. In a discussion of this question, however, the Board observed that the principal reason why the Company refused to recognize the U. M. W. A. was that the latter are ‘practically a foreign organization, having dangerous and menacing powers under their constitution.’ The



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Board believed that this constitution gave the U. M. W. A. authorities powers which no foreign body should be able to exercise over industrial interests in Nova Scotia. The Board considered that the Coal Company was 'amply justified' in refusing to recognize any organization that could exercise such a dangerous and continually menacing power. 'Foreign officials,' said the report, 'sitting at Indianapolis, should not have the power to decree that Nova Scotia miners, even when without a grievance, must stop working, and thereby cripple a great Nova Scotia industry.'

In conclusion the Board remarked 'that our labour difficulties, which will always be with us, should be settled among ourselves, and not be subject to the control of any outside party.' In the present instance, the interests of the men, urged the Board, were bound up with those of the Coal Company, and anything that tended to hamper materially the operations of the Company must in the end prejudicially affect also the workmen concerned.

## THE MINORITY REPORT.

In his minority report, Mr. Daniel McDougall said that the principal claim in the employees' application was in the matter of alleged discrimination. Mr. McDougall submitted that on the part of the officials of the Dominion Coal Company there had been the most violent cases of discrimination and that the same were without justification. The Company's admission of a preference for one class of employees amounted in his judgment, to a case of discrimination against the other classes. As regards the company's claim that it was carrying out the letter as well as the spirit of the award of the Board of Conciliation and Investigation of March, 1908, by giving a preference to the P. W. A., Mr. McDougall urged that this argument faded away under the admission of the Company that any agreement, award or settlement now existing, was binding between the Company and its employees irrespective of any society to which they might belong.

As to the present position of the Dominion Coal Company, Mr. McDougall claimed that evidence was given before the Board to prove that the Company not only competed successfully in Canadian markets, but was able to pay the United States duty and get its share of contracts in the New England states. In addition, evidence had been given, he said, before the Board by Mr. Alex. Dick, the sales agent of the Company, that the fact of the U. M. W. A. being solidly established in Nova Scotia did not affect the conditions in the Canadian markets in the least.

As to the Coal Company's assertion that it would be most prejudicial to the industry if workmen therein became subject to the control of a foreign labour union such as the U. M. W. A., Mr. McDougall held that no evidence had been produced to show that such a situation would be prejudicial. Moreover, Mr. McDougall contended the U. M. W. A. was not a foreign but an international organization. 'If the Coal Company,' he said, 'now by their discrimination and unfair treatment cause a strike, they themselves would be to blame for the ruination of the coal trade.' Mr. McDougall claimed that the Company first decided to crush out the union, and 'then started to hunt up reasons and excuses for doing so.' He could see no reason why the Dominion Coal Company should not grant a recognition to the U. M. W. A. and receive committees therefrom as circumstances required.

## REPORT OF BOARD.

The text of the findings of the Board is as follows:—

In the matter of the Industrial Disputes Act, 1907, and of a dispute between the Dominion Coal Company and its employees.

The Board, composed of Mr. Daniel McDougall, Mr. G. S. Campbell and Judge W. B. Wallace (Chairman), met on Tuesday morning, March 30, 1909, at a public



hall in Glace Bay, the locality of the dispute between the above parties, and having taken the oath of office, proceeded with the reference.

The employees were represented by three of their number. The Company was not represented at the first sittings, but the Board having decided to subpoena the general manager and some of the officials of the Company, those gentlemen undertook to appear. At all the subsequent sittings of the Board, when the evidence was taken, the Company and the employees respectively were represented by counsel.

The Board sat at Glace Bay every week day until the following Tuesday evening, when the taking of evidence was concluded, and the Board adjourned to meet again at Halifax on Monday, April 12. After sittings at Halifax on Monday, Tuesday and Wednesday considering the evidence and preparing a report, the Board now makes the following findings:—

The complaints of the men may be summarized as follows:—

(a) That the men were discharged or threatened with dismissal because they were members of the United Mine Workers of America.

(b) That the private police force of the Company loitered around the meetings of the United Mine Workers' Association and intimidated the members.

(c) That in general the Company carried out a policy of discrimination against members of the United Mine Workers' Association.

(d) That the Company refused to receive committees of the United Mine Workers' Association, or in any way recognize that organization.

As to the allegation that the men were dismissed or threatened with dismissal because they were members of the U.M.W.A., the Board finds that the charge is not sustained by the evidence.

The claim made by the U.M.W., that the Company's police force loitered around their meetings and intimidated their members is not sustained. The evidence goes to show that the Company's policemen were detailed to attend all large meetings whether of the Provincial Workmen's Association or the U.M.W. in order to protect the Company's property in case of disorder, and no instructions were given them either to get information about the meetings or to interfere with the men who attended them. There was no intimidation.

In order to understand the situation at some of the mines the following facts may be stated:—

As is customary after the close of navigation, work slacked down at the mines, and the evidence of Mr. Duggan goes to show that the demand for coal during the past winter was considerably less than the average, the output for the last five months being nearly one-half million tons lower than for the corresponding period last year. In order to keep the mines partially going the Company started to bank coal, but in spite of that a considerable number of men were laid off. This more particularly affected mines Nos. 2, 3, 4, 6, 12 and 14. It happens that at some of these mines the majority of the men belonged to the United Mine Workers, and the representatives of the men claim that it was for that reason that these mines were partially or altogether shut down. This claim is not substantiated by the evidence.

Much evidence was given to support the claim of the U.M.W. that men were discharged because they had joined that Association and were threatened with dismissal unless they left it. It does appear, and is admitted by the Company, that as the demand for coal increased, and the men were again taken on, preference was given to the members of the Provincial Workmen's Association. While it appears by the evidence that no responsible official of the Company discharged a man because he was a member of the U.M.W., there is no doubt that in a number of instances the subordinate officials advised their men in their own interest to join the P.W.A. in order that they might have a better chance of early employment.



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A special reference must be made to Dominion No. 3. The Board finds in regard to the situation at Dominion No. 3 that a section of this mine was producing less marketable coal than other places, and in view of the dullness of the coal trade a number of men were laid off, there was no discrimination shown when the men were laid off, but the Board finds—without in any way reflecting upon the evidence of the manager of Dominion No. 3—that the men who composed the committee which waited upon the manager of Dominion No. 3, were justified in assuming as a result of that interview that in seeking for re-employment it would be to their advantage to sever their connection with the U.M.W.

The mine managers, however, had no instructions from the general manager to discriminate against members of the U.M.W.A. The general manager was examined on the point and testified as follows:—

‘Q. Did you give any instructions in reference to this particular organization? —A. Well, it was represented and generally known and discussed among our people that the U.M.W. was going to get recognition; that was to be their victory. We all discussed the whole question. I set it before the men and our general attitude was that it was against the interests of the public to allow them recognition. I told our manager not to recognize them in any way or do anything that might be construed into recognition. When we were discussing with the managers as to the organization of the succeeding year we realized the necessity of getting men they could depend on. I think I told them merely as counsel that they ought to be careful for their own sake not to do anything that would be construed into discrimination against this organization. I said they should be careful not to discriminate.’

Another charge of discrimination is that certain members of the U.M.W.A., who were deputy overmen, were discharged by the Company. The rule of the Company is that the deputy overman is an official of the Company, and as such is not allowed to belong to any labour organization. The representatives of the U.M.W. claim that a man who is appointed to that position should not be required to give up his membership in the union. As it appears by the evidence that the deputy overman is in a position of responsibility, frequently exercising authority over a large number of men, the Board considers the rule of the Company disqualifying him from belonging to any labour union to be a reasonable one. The Company made their position clear on this question over 15 months ago, before the U.M.W. were organized, so that it cannot be claimed that they put it into force in order to prejudice the U.M.W. The evidence goes to show that there was no discrimination in this respect and that no deputy overmen were allowed to retain membership of their lodge with the knowledge of the Company, whether they belonged to the P.W.A. or the U.M.W. The Board considers this rule to be in the interest of the men themselves, as deputy overmen who are associated with any particular labour organization would be apt to give preference to the men of that organization or discriminate against men of a rival organization. Another obvious objection is that it would be undesirable for the deputy overmen having power to discipline workmen to belong to a labour union where the exercise of such power might afterwards pass under review.

Evidence was given to show that some of the mechanics at No. 2 were discharged because they belonged to the U. M. W. Special conditions exist at mine No. 2, in that it supplies power for lighting most of the company's mines. On the continuous operation of the plant there depends the safety and efficient operation of the other mines, and any stoppage would at once tie up all work at the other collieries. As there were substantial grounds for believing that a strike was imminent, the engineer in charge of the power plant asked his subordinates whether he could depend upon them to continue at work in the event of a strike being called. Those who stated that they would go out in the event of a strike were laid off, as the engineer, who is responsible for the operation of the plant, wished to have men under him on



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whose loyalty he could depend. As this question was asked irrespective of whether the person interrogated was a member of the P. W. A. or U. M. W., there is no evidence of any discrimination against the members of the latter organization, the only men who were laid off being men whose answers or conduct showed that they could not be relied upon to continue working.

The position at No. 6 also presents some special features. The formal complaint of the men is that the mine was almost completely closed down because a large majority of the miners there belonged to the U. M. W. Now, it appears from the evidence that it costs about 20 per cent more to mine coal at No. 6 than at other mines. During the winter coal was being banked there, principally in order to provide work for the men, but on the 9th of February the mine was closed down. Later on, when the requirements of the Steel Company increased, the company decided to resume operations at No. 6, and the whistle was blown for work on March 22. The men of that pit, who were largely U. M. W., declined to go back to work, and sent out a number of pickets, presumably for the purpose of influencing the men to stay away. As a reason for not resuming work, the representatives of the U. M. W. claim that the Company had no serious intention of resuming work there on a large scale, and that they had not made the necessary arrangements in the way of providing lamps, &c., for the men. The evidence goes to show that the manager blew the whistle for the resumption of work in good faith, and while the Company could not be expected to open up the mine to its full capacity immediately, a considerable number of men would have been employed at once, and the remainder as soon as work opened up.

It is gratifying to be able to state that while the Board was sitting at Glace Bay, work was resumed at No. 6, and we understand that the men are being employed there irrespective of the labour organization to which they belong.

An important question submitted for the consideration of the Board is whether the Company was justified in giving preference to the P. W. A.

Without dealing with the question whether a company has a right, under ordinary circumstances, in engaging workmen, to show a preference for the members of one labour union to those of another labour union, in the present case there were special circumstances which made the preference, undoubtedly shown by the Company, a natural and reasonable one. As the result of the award of a previous Board of Conciliation, the Provincial Workmen's Association, representing the workmen, became a formal party to that award, and unqualifiedly accepted its terms, and it was reasonable that in the carrying out of the Company's operations under the award the Company should give special recognition to the men who could be relied upon to abide by its terms, in preference to the men who had not assented to its terms, and some of whom were known to the company as condemning the terms of the award.

While officials of the U. M. W. now say that their association is prepared to abide by the terms of that award, this Board must deal with conditions as they existed at the time of the acts complained of by the men. Moreover, the U. M. W. still persist in maintaining the right to defy an important rule of the company in respect to deputy overmen, which rule, on the other hand, the P. W. A. have not questioned since the period when the Company sent the formal notification of the rigid enforcement of this rule, about fifteen months ago.

It should be also stated that while the Company has given a preference to the workmen of the P. W. A., the Company has shown no harshness towards the men of the U. M. W., and the general manager of the Company has declared that no man has been blacklisted or will be refused employment merely because he belongs to that organization.

The most important question before the Board was that of recognition of the U. M. W. by the Company. Here there is no question of agreements, it is purely a matter of policy. The U. M. W. claim the right to approach the management by



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committee, as is done by the P. W. A. The Company refuses to recognize that right. It may be admitted that there are advantages in dealing through committees with a recognized labour union, but the Company find themselves face to face with two rival labour organizations, and state that it would be impracticable to deal with two separate committees whose contentions might be at variance with each other. The principal reason, however, why the company refuses to recognize the U. M. W., is that they are practically a foreign organization, having dangerous and menacing powers under their constitution. It is true that the U. M. W. is international in membership, but the principal executive officers and the great bulk of the members reside in the United States. The Company points out that this has a very serious bearing on the coal trade of Nova Scotia, inasmuch as the American operators are making serious inroads into Canadian markets. It appears in the evidence of Mr. Duggan that since 1906, sales to the St. Lawrence markets of American bituminous coal have increased 531,000 tons. As the St. Lawrence trade forms the chief market of the Dominion Coal Company, anything that tends to interfere with it would naturally affect the interests both of the Coal Company and the miners they employ. The Board considers this objection of the Coal Company a very grave one, because with one foreign organization controlling the miners, labour difficulties in the United States would almost certainly lead to complication in Nova Scotia. If through labour troubles in the United States a market opened up there for Nova Scotia coal at profitable rates, pressure would undoubtedly be brought to bear on the miners in Nova Scotia to prevent exports of our coal to the United States. It is true that the U. M. W. is recognized in Western Canada, but there the conditions are different, because while Nova Scotia mines are finding it increasingly difficult to hold their own against the United States coal in the St. Lawrence trade, the Canadian mines of the west not only hold their own market, but in many cases can afford to export to the United States notwithstanding the duty. Another and most serious objection to recognizing the U. M. W., arises in connection with certain clauses in their constitution. One clause of that constitution states 'that local unions shall be composed of miners, mine labourers and other workmen, skilled and unskilled, working in and about the mines, except mine managers, top boss and persons engaged in the sale of intoxicating liquors.' Under this rule every man except the superintendent and manager of the mine is eligible for membership in the union. This the Board considers to be a dangerous and unusual rule and not in accordance with the custom in Great Britain and other mining centres. It is also in conflict with a rule of the Dominion Coal Company, a special reference to which is made in an earlier paragraph of this report.

But the most objectionable clause in the constitution is as follows:—

'The international officials shall at any time they deem it to the best interests of mine workers in a district that is idle, for just and sufficient reasons order a suspension in any other district or districts that would not in any way impede the settlement of the districts affected, provided that such action would conserve to the best interest of the U.M.W. of America.' This rule makes it quite possible for the executive of the Mine Workers, whose head office is in Indianapolis, Indiana, to proclaim a strike in Nova Scotia if they considered it to be in the interest of the U.M.W. as a whole. Inasmuch as all the dominating interests of the U.M.W. are centered in the United States, it seems clear that the policy of the organization would be governed by the interests of the mines there. Consequently it is not unreasonable to anticipate that on some future occasion, although labour conditions in Nova Scotia might be satisfactory, it would be to the interest of the U.M.W. as a whole to proclaim a strike in Nova Scotia. That is a power which in our opinion no foreign body should be able to exercise over our industrial interests in Nova Scotia. The Board considers that the Coal Company is justified in refusing to recognize any organization that could



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exercise such a dangerous and continually menacing power. Foreign officials sitting at Indianapolis should not have the power to decree that Nova Scotia miners, even when without a grievance, must stop working, and thereby cripple a great Nova Scotia industry.

In conclusion the board desires to report that, so far as it has been able to ascertain, the conditions obtaining at the collieries in Cape Breton are in many respects superior to those at most of the mines in the United States. While differences of opinion have arisen between operators and the men, they have hitherto been arranged in a mutually, friendly and satisfactory manner.

Existing unsettled labour conditions have the effect of disturbing business, creating apprehension as to the future and thereby reacting to a large extent on the welfare of the miners themselves.

Without presuming to dictate as to which union the men should belong, or as to whether they should belong to any union, we think it is in the interest of the operators, the men themselves and the whole community, that our labour difficulties, which will always be with us, should be settled amongst ourselves, and not be subject to the control of any outside party. The men must see that their interests are bound up with those of the Coal Company, and while they naturally expect to share in the prosperity of the Company, anything that tends to hamper materially the operations of the Company must in the end prejudicially affect themselves.

The general manager has declared that his instructions were and are that there should be no discrimination against the members of the U.M.W. as such, and the Board wish to add that all officials of the Company should be extremely careful to avoid anything that would afford ground for suspecting discrimination or unjust favouritism.

The Board takes pleasure in expressing appreciation of the readiness of both parties to furnish information affecting the questions at issue, of the straightforward way in which the witnesses gave their evidence, and of the spirit of conciliation which was manifested in an increasing degree as the inquiry proceeded.

It is the earnest wish of the Board that the investigation which has taken place may in some degree result in a better and more sympathetic understanding between the Coal Company and its employees; that each may show a conciliatory attitude towards the other, and that all connected with the mines may work harmoniously together for the success and prosperity of the coal industry of the province.

Inclosed herewith are the exhibits and evidence in this matter.

Halifax, April 14, 1909.

W. B. WALLACE,  
*Chairman.*

G. S. CAMPBELL.

THE HON. RODOLPHE LEMIEUX,  
Minister of Labour,  
Ottawa.

#### MINORITY REPORT.

The text of the minority report, submitted by Mr. Daniel McDougall, is as follows:—

TO THE HONOURABLE THE MINISTER OF LABOUR,  
Ottawa, Ont.

*Re* the dispute entitled Dominion Coal Company and employees.

The undersigned, acting on behalf of the men and parties making application for the Board, namely, James D. McLennan and Peter Patterson, beg to report as follows:—



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Your Board met in the town of Glace Bay and held sessions continuously for seven days, when a great amount of evidence was produced, the same being under oath, and has been submitted to your department.

The final sitting of the court was held in the city of Halifax to endeavour to arrive at a settlement and of finding a recommendation to be submitted to your Department, but I having failed to agree with my colleagues on a finding, decided to submit a minority report as follows and per evidence brought forward at the investigation.

The first and principal clause in our application for the Board was the matter of discrimination; to this I have to say:—

That in all the evidence brought forward we proved direct cases of discrimination, and would have brought forward more cases from all the collieries were it not that the Company by their solicitor admitted that they were prepared to close the case and admit that there had been discrimination. Of course the company says it was only '*preference*' of one class of employment. This being the case, it undoubtedly makes a case of discrimination against the other class, or, to be plainer, that the Company gave a preference to the Provincial Workmen's Association, thereby excluding the members of the U.M.W. of A. from any privileges they were entitled to as employees of the said company, this being a deliberatt violation of section , subsection (C) relating to the employment of children or any class of persons. To bring this matter clearly before your department, I think the evidence produced will show by Mr. Curry's evidence of Michael Burns, pages 9 and 10, Thos. Accleshaw on pages 11 and 13; Mr. McInnes, manager of No. 3 mine on pages 14 and 17; Neil Stewart, pages 22, 23 and 24; R. J. McNeil on page 30, and all through the evidence until we come to page 99, Mr. Mitchell's statement, he being manager of No. 6 colliery, and, in fact, all through the evidence, it is plainly shown our men have been discriminated against.

I, therefore, submit that on the part of the officials of the Dominion Coal Company there has been the most violent cases of discrimination. Therefore, having, in my opinion, proven to your Department that there has been discrimination, we must, therefore, endeavour to find any justification there may be for this discrimination or preference, and the best way to establish that there has been no cause is by taking the company's reply to this department. I submit that clauses 1, 2 and 3 do not in any way justify the Company in making this discrimination, from the fact that we consider the award of the Board held last year binding on all its employees.

In regard to paragraph four we wish to call attention to the evidence of Alexander Dick, where he admits that he always sells more coal than the collieries can produce during the open season and the St. Lawrence being closed is a normal thing. And it is submitted that although the Americans increased their sales up the St. Lawrence, there is nothing in the evidence to indicate that the St. Lawrence trade will not keep the collieries busy this year as it has last. In fact, the only place where the sales have decreased, according to Mr. Dick, is the New England states. But that we say in regard to the whole paragraph four is that, even assuming it is correct, it afforded no reason for the company in restricting its operations discriminating against our members, since our members and our organization have not been in the least to blame for this state of affairs (this latter has been admitted by Mr. Dick), and we say that in the restricting of operation process work should have been divided as in other years.

As to paragraph five, we say that this whole paragraph fades away under the admission of the Company, that any agreement, award or settlement now existing is binding as between the company and its employees, regardless of whether they are P. W. A., U. M. W. or members of neither society, and even had this not been admitted, a glance at the award itself would be sufficient. (See also further on in this argument the paper of Professor Shortt). This being admitted that the award was



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for the benefit of all employees and nothing contained in it authorizing a preference to union or non-union men, what justification for preference or discrimination is made out in paragraph five?

As to paragraph six, practically the same observations apply to it.

As to the last paragraph of the reply, we shall deal with it by sentences.

As to the first sentence, 'The property of the coal industry in Nova Scotia depends upon its being able to compete successfully with American coal operators in the Canadian markets.' We admit the truth of the proposition in general, and we say that according to the evidence of their own witness, Mr. Dick, they have not been able to successfully compete in Canadian markets, but they have been able to go into the territory of competitors in the hardest season of the year for transportation, and pay the duty and get their share of contracts in the New England states. They are also able, according to Mr. Dick, to ship coal to the Canadian markets, and pay \$1 freight via Portland, and still hold their own against those terrible Americans. And over and above all these admissions of Mr. Dick, we have his crowning statement that the fact of the U. M. W. being solidly established in Nova Scotia will not affect the conditions in the Canadian markets in the least.

As to the next sentence, 'It would be most prejudicial to the industry if the workmen therein became subject to the control of a foreign labour union such as the United Mine Workers of America, which is organized in the States where its chief officers reside.' We say they have produced no evidence to show that it would be prejudicial, and that the evidence of Mr. Dick tends to show it would not. We say further our organization is not foreign, but international, and we could have proven had it not been practically admitted by Mr. Duggan that they are now dealing with two such international unions—one on their railway and another in their machine shops. It may be further noted that while Mr. Duggan was refusing to speak to Donald Grant, an old employee, and Peter Patterson, a Nova Scotian and Canadian international board member, because they happened to be members of this so-called foreign labour union, he was in correspondence with Thomas Lewis, the president of the U. M. W. of A., down in Indianapolis.

In answer to the last sentence of the Company's reply we need only point to the evidence of Mr. Dick, who admits that regardless of whether the U. M. W. triumphs in Nova Scotia, the company will always have the same competitors in the St. Lawrence, and that so long as there is no strike in Nova Scotia their chances of holding their own against the Americans never were better. If the Coal Company now by their discrimination and unfair treatment, cause a strike, they themselves will be to blame for the ruination of the coal trade. We say finally that if the whole reply or any part of it was intended to suggest that the opposition met in the Montreal markets had any connection with the U. M. W. organization, that the Company have failed to produce any evidence on which even to base an argument to that effect. And we say boldly, in view of our frequent challenges to the Company to put any of our officers, including Mr. Patterson, on the stand, and these men could give the whole history of the organization of the Nova Scotia district.

In conclusion, we submit that the Company first decided to crush out the union here, and then started to hunt up reasons and excuses for doing so, and we say this is borne out by the fact that they have at different times given different reasons and excuses.

One more point coming to mind and which has been put forward was the fact that the Dominion Coal Company discharged some of its employees because they were shotfirers, or what they term 'deputy overmen,' and they contended they should not belong to any union. We take the stand that men of this class should not be hindered from joining any society they wish, from the fact that the union themselves places restrictions on those who should belong to labour unions, and further, the



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special rules of the Company have to be posted up in prominent places for the guidance of the workmen according to the Coal Mines Regulation Act of the province of Nova Scotia, and their special rules so posted up do not say that these people are officials. We take this point, that if the Dominion Coal Company continues creating officials the men will all be in the role, thereby leaving no room for any to escape, and that being a fact Prof. Shortt's argument in *Labour Gazette* of January, 1909, page 697, has no foundation. We therefore submit to the Department that the Coal Company, or any other company, has no jurisdiction to say if a man should belong to a society or not—more particularly a union.

The only matter remaining is a recognition of our union, which I personally and in behalf of the men cannot see any just reason for the Company not receiving a committee from us to adjust any grievances that may arise with our men. As to cases where the matter of recognition has been accorded the United Mine Workers of America, we would quote Reports of 1907-1908 of the Department at pages 336, 337 and 351, which in our opinion is the only way this matter can be settled. We therefore urge a recognition by committee as shown by Mr. Mitchell, Mr. Duggan and other officials, that dealing with a committee is the most satisfactory method of adjusting a grievance, and we, therefore, strongly urge and recommend it for the reasons given. For the other reason, that if this is not done we fear great friction may occur and great trouble may be brought on by members being discharged. For example, a member might be discharged for a sufficient cause and under circumstances that no union would defend him, but if he came to his local and put his own colouring to the story it might be regarded by the local as discrimination, and since this question has now been referred to a Board the whole union might strike, whereas, if the case was gone over by the committee and the manager, the member might be held to be in the wrong and trouble avoided, and at least this would give time to allow the parties to cool off.

If the Company agree with the employees along those lines I see no reason why industrial peace should not prevail and a prosperous time for the Company be the outcome.

All of which is respectfully submitted,

(Sgd.) DANIEL McDUGALL,  
*On behalf of the men.*



### III.—APPLICATION FROM EMPLOYEES OF THE BRITISH COLUMBIA COPPER COMPANY, GREENWOOD, B. C.—BOARD ESTABLISHED—EMPLOYEES CEASED WORK.

*Application received.*—April 5, 1909.

*Parties concerned.*—British Columbia Copper Company and employees.

*Applicants.*—Employees.

*Nature of industry concerned.*—Metal mining (copper).

*Nature of dispute.*—Alleged discrimination against certain employees.

*Number of employees affected.*—225.

*Date of constitution of Board.*—April 29, 1909.

*Membership of Board.*—His Honour Judge P. E. Wilson, Cranbrook, B.C. (Chairman), appointed by the Minister in the absence of any joint recommendation from the other members of the Board; Mr. E. Cronyn, Toronto, Ont., appointed on the recommendation of the employing Company, and Mr. John McInnis, Phoenix, B.C., appointed on the recommendation of the employees.

*Reports received.*—May 21, June 3 and June 11, 1909.

*Result of inquiry.*—Employees refused to accept findings of Board and ceased work on June 26, 1909. Strike continued until July 24, 1909, when a settlement was effected.

The Minister received, on May 21, the report of His Honour Judge P. E. Wilson, of Cranbrook, B.C., as Chairman of this Board. At the same time a separate report was received from Mr. John McInnis, M.P.P., of Phoenix, B.C., the member appointed on the recommendation of the employees. The report of Mr. Edward Cronyn, of Toronto, the member of the Board appointed on the recommendation of the Company, was received in the Department on June 11.

The application for the establishment of this Board, received in the Department on March 30, alleged discrimination on the part of the British Columbia Copper Company against two members of the Greenwood Miners' Union, No. 22, Western Federation of Miners, namely, T. Y. McKay, J. B. King and others, 'by discharging them from their employment for no apparent reason but their being active members of Greenwood Miners' Union.' The union demanded that the British Columbia Copper Company cease discriminating against their members and reinstate all members so discriminated against; also that the British Columbia Copper Company adjust all grievances that may arise in the future through a committee from the Greenwood Miners' Union. The number of persons affected by this dispute was said to be approximately 225 men. Mr. John McInnis, M.P.P., of Phoenix, B.C., was appointed a member of this Board on the recommendation of the employees, and Mr. Edward Cronyn, of Toronto, was appointed on the recommendation of the Company. In the absence of any joint recommendation from Messrs. McInnis and Cronyn, the Board was completed on April 29 by the appointment of His Honour Judge P. E. Wilson, of Cranbrook, as chairman.

At the opening sitting of the Board the complaints of the employees concerned were amplified as follows:—

'(1) That the management of the B. C. Copper Company recognize a committee from the Greenwood Miners' Union No. 22, W.F.M., to adjust all grievances between the B. C. Copper Company and its employees.



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‘ (2) That the B. C. Copper Company cease discriminating against members of Greenwood Miners’ Union No. 22, W.F.M.

‘ (3) That the B. C. Copper Company reinstate J. B. King and T. Y. McKay and pay to them their wages in full from the time of their dismissal until such time as they are reinstated.

‘ (4) That the B. C. Copper Company shall not discriminate against men on account of their political opinions.

‘ (5) That the B. C. Copper Company shall not alter existing conditions of employment of their employees without notifying the president or secretary of the Greenwood Miners’ Union No. 22, W.F.M., and all notifications shall be in writing.

‘ (6) That the management of the B. C. Copper Company, or any of its officials, shall not use any influence or in any manner interfere with their employees in their choice of doctor or doctors.

‘ (7) That the management of the B. C. Copper Company cease soliciting the board of trade and certain individuals for the purpose of discrediting Greenwood Miners’ Union No. 22, W.F.M.’

On June 21 a strike was declared of the employees concerned in this dispute, in which recognition was sought for the Western Federation of Miners’ organization. The strike continued until July 24 following, when a settlement was effected and operations were resumed in the Company’s mines.

## SUMMARY OF SEVERAL REPORTS.

His Honour Judge Wilson in his report observed that ‘the whole industrial situation in this camp is unfortunate. A feeling of distrust prevades the whole atmosphere, and so long as that feeling continues so long will trouble continue.’ In respect of the recognition of the union, which was one of the main points of the dispute, the Company claimed that some of their employees were not members of Greenwood Miners’ Union, and that as to these it was manifestly unfair that they should have to adjust grievances through the union. Judge Wilson, Chairman, and Mr. Cronyn, member of the Board appointed on the recommendation of the Company, both referred in their reports to certain letters submitted in evidence by the Company in which individual workmen had been informed by the secretary of Greenwood Miners’ Union that a fine had been placed against them for refusing to become members of that body, and that they would be advertised as ‘unfair to organized labour.’ In commenting on these letters the chairman observed that ‘such action on the part of the union seems, in my opinion, to depart from the true spirit of unionism, which, as I understand it, is to obtain a fair deal for the employees. In my opinion, the letters strongly smack of disloyalty not only to unionism but to the laws of the country itself, and such a course as that adopted by the Greenwood Miners’ Union cannot do otherwise than lead to distrust by the employer, and not only to that, but to non-recognition by the employer, who should fairly recognize his non-union employees as well as his union employees, and these letters certainly give him fair grounds for stating that he finds it impossible to recognize the union under such conditions. If it had not been for this unfortunate evidence, I certainly feel that there was no justification whatever for the Company refusing recognition of the union.’

The Chairman was of opinion that in fairness, not only to capital, but to labour itself, each union should have the power to make a binding contract, and that if this were the case ‘it would do much to lessen the feeling of permanent unrest which seems to prevail at Greenwood.’ With these two points settled he saw no reason why the parties to the dispute could not come together. The one foundation for the dispute was the demand of the Greenwood Miners’ Union for recognition at the hands of the Company, and Judge Wilson added, ‘upon elimination of the union’s procedure as against non-union men and union men who are in arrears, as above outlined, that the



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Company might and should recognize the union in dealing with union employees.' In conclusion he recommended: (1) That the union eliminate any practice of discrimination as against non-union men. (2) That upon the cessation of such procedure the Company recognize and deal with the union in regard to all questions affecting union men. (3) That no discrimination be shown against any person by reason of his taking an active part in the union.'

Mr. Cronyn, in his findings, gave it as his opinion that the British Columbia Copper Company was amply justified in refusing to recognize or to deal with Greenwood Miners' Union.

Mr. McInnis found that 'the charges made by the Greenwood Miners' Union were well founded,' and gave it as his opinion that 'the difficulties between the management and the employees were due largely to the failure of the manager of the Company to meet his employees in a spirit of fairness.' 'There has been,' Mr. McInnis observed, 'scarcely any serious labour troubles for a number of years, and this condition is due in a large measure to the fact that nearly every company operating in the provinces recognizes the Western Federation of Miners.' He recommended, therefore, that the British Columbia Copper Company recognize and do business with the Greenwood Miners' Union, and that all questions affecting wages and conditions between the Company and the employees be adjusted through the said union.

Mr. McInnis, in his report, stated that 'after all the evidence was adduced, the Board endeavoured to get the parties to the dispute together, so that, if possible, they might arrive at an understanding. The officials of the union signified their willingness to confer and settle on reasonable terms, but the representative of the Company refused point blank to have any dealings with the union.' The Department has received copies of correspondence showing that in a letter, dated June 16, to His Honour Judge Wilson, of Cranbrook, the British Columbia Copper Company disputed the accuracy of the foregoing statement in Mr. McInnis' report, and asserted that no such suggestion had been received by the Company. In reply Judge Wilson declared the Company's statement in this matter to be correct, and added that a statement by Mr. Cronyn that it was no use to have suggested a conference as in the face of the evidence he (Mr. Cronyn) knew that the Company could not consider the points, was the only ground that could exist for such a statement.

#### REPORT OF CHAIRMAN OF BOARD.

The text of the finding of His Honour Judge P. E. Wilson, as Chairman of the Board, is as follows:—

In the matter of the Industrial Disputes Investigation Act, 1907, and in the matter of differences between the British Columbia Copper Company and its employees.

The Chairman of this Board begs to report as follows:—

On my appointment, at the earnest solicitation of both parties, I forthwith went to Greenwood, and a meeting was at once held on my arrival on May 1.

The complaint as filed with the Board was amplified by the employees, who submitted a statement in writing which sets out their ground for complaint. That statement is as follows:—

Mr. Chairman and Members of the Conciliation and Investigation Board.

Gentlemen,—The members of the Greenwood Miners' Union in making application for a Conciliation and Investigation Board, under the Industrial Disputes Act, do not wish to leave the impression on the public that we consider this Act is in any way intended to benefit the working class.



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In fact, we consider the Industrial Disputes Act the most hostile piece of legislation on the statute-books of Canada at the present time against the labouring class.

Our reason for thinking so is that the corporations can ignore it in nearly every case, and as shown in one case in which Greenwood miners were interested, and it would have been to our benefit to have a Board appointed, the Deputy Minister of Labour advised us that the Department of Labour did not consider a copper mine a public utility. In May, 1907, the members of Greenwood Miners' Union, believing that they were entitled to a higher rate of wages as the cost of living had advanced, and as the price of copper had been over 24 cents for the previous six months, made a demand on the different mining companies operating properties in the jurisdiction of Greenwood Miners' Union for an advance of fifty cents a day in wages, and believing that copper mines would come under the Industrial Disputes Act, we made the demand to take effect the 1st June, 1907.

The members of Greenwood Miners' Union believed at that time that if we could get a Conciliation and Investigation Board that we had the whip hand, as there had been enormous losses to the B. C. Copper Company through mismanagement, and if we could get a Board to demand the Company's books, the management of the B. C. Copper Company would grant our demands before it would allow an investigation.

But as the charges have often been made that the Western Federation of Miners is a lawless organization, we invite you to make a thorough investigation into our methods of doing business, as we have nothing to conceal, and in making application for a Conciliation and Investigation Board one of our objects is to let the public know the true condition in Greenwood camp.

When we made the demand in May, 1907, for an increase in wages, the managers of the different companies operating in the boundary asked the committees representing the different unions to meet them in a body as they would like to make a scale of wages to be general all over the boundary country, and when the committees met them they asked for time to go to New York to interview the executive board of the different companies, or alien corporations operating in the boundary, and the committees representing the unions granted them the time on condition that they would give an answer before 1st of June, 1907. After the managers returned and we realized after meeting them that they did not intend to grant the raise on the plea that with copper at 24 cents a pound there was very little profit for them. After showing them that 50 cents advance in wages per day would amount to about one-tenth of a cent on a pound of copper, taking their own report as a basis to work on, as they claimed that they could produce copper and lay it down in New York at between 9 and 10 cents a pound. Mr. Hodges, the chairman of the managers, remarked that the reports as they sent them out were only to hornswoggle the stockholders. The committee representing the various unions then made up their minds to apply for a Conciliation Board, and in answer to a telegram that we sent to the Minister of Mines, his deputy notified us that we did not come under the Lemieux Act, as the copper mines were not considered by the Department a public utility. Then realizing that we had all the power of capital with the public press, including the mining journals of Canada and America, printing lying reports sent out by agents of the Mine Owners' Association against us, we arrived at a compromise.

After the union voted on the scale and we adopted it, we posted a copy of the scale on a building at the Mother Lode mine so that the men would know what they were being paid, so that they could mark their cards supplied daily by the Company for that and other purposes. Mr. McAllister sent word to the superintendent at the mine to take the copy of the scale down, as he had not been notified officially by the Greenwood Miners' Union of adoption of scale. We had then to make a trip to the B. C. Copper Company office and notify him to that effect.

The managers of the various companies began to realize that the men by being organized were a power to be reckoned with, and Mr. McAllister started in very soon



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to show us that any man taking an active part in the union could not work for him. Notwithstanding the fact that we did not ask for a raise in wages for six months after copper had advanced to 24 cents, and when we did demand the raise we gave the management over one month's notice, but when the price of copper dropped, and the conditions in the labour market were favourable to the operators, the various managers of the large companies got together and closed all the properties in the boundary without even 12 hours' notice, for no other reason than to defeat the objects of the Lemieux Act, as the Minister of Labour had given a decision after we had settled our grievances in May, 1907, that a copper mine was a public utility.

In May, 1908, the B. C. Copper Company resumed operations under a reduced wage scale, but as copper was nearly one cent lower than when they shut down they cannot claim as an excuse the high wages paid in November as a reason for shutting down in November, 1907.

During the shut-down of the B. C. Copper Company's properties in November, 1907, and the resumption of work in May, 1908, Mr. McAllister was very active in getting the Greenwood Board of Trade to adopt certain resolutions placing all the responsibility of the closing down of the B. C. Copper Company's properties on the labouring class, and the same resolutions were published and comments made in a great many of the mining journals published in America. Mr. McAllister also tried to influence foremen in charge of other properties near Greenwood to not employ certain men that belonged to the union, giving as a reason that if the said foremen employed union men that they would divide their wages with men that he was trying to drive out of Greenwood, and he also made the remark that he had two good men in the union to report what was going on.

In the appointment of E. C. Warren to the position of manager at the B. C. Copper's smelter we believe we can show to the satisfaction of this Board that the only qualifications that he had for this position was that he was president of Greenwood Board of Trade and the recognized political boss in Greenwood of the Conservative party in British Columbia, and that the said E. C. Warren would use his influence to disrupt Greenwood Miners' Union.

A few of the reasons that Mr. McAllister wanted to disrupt the union were because that Greenwood Miners' Union were trying to get the benefit of certain laws on the statute books of British Columbia, namely, the Master and Servants' Act and the Workmen's Compensation Act, and we believe we can show to the satisfaction of this Board that he has deliberately schemed to impose a Company doctor on his employees to defeat the objects of said Acts. We also believe that we can show to the satisfaction of this Board that there has been no effort on the part of the present management of the B. C. Copper Company to operate the mines and smelter of the said Company for the interest of the stockholders as a whole, but their only object was to handle a large tonnage, and in trying to treat a large tonnage it resulted in enormous losses to the B. C. Copper Company.

And we also accuse Mr. McAllister of using every means in his power to compel Greenwood Miners' Union to call a strike so that he can place the responsibility of his mismanagement on to the shoulders of Greenwood Miners' Union.

Respectfully submitted,

ACTING FOR MINERS' UNION.

Greenwood, B.C., May 1, 1909.

#### DEMANDS MADE BY GREENWOOD MINERS' UNION OF THE B. C. COPPER COMPANY.

1st. That the management of the B. C. Copper Company recognize a committee from Greenwood Miners' Union, No. 22, W.F.M., to adjust all grievances between the B. C. Copper Company and its employees.



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2nd. That the B. C. Copper Company cease discriminating against members of Greenwood Miners' Union, No. 22, W.F.M.

3rd. That the B. C. Copper Company reinstate J. B. King and T. Y. McKay in their employment, and pay the said J. B. King and T. Y. McKay their wages in full from the time of their dismissal until such time as they are reinstated.

4th. That the B. C. Copper Company shall not discriminate against men on account of their political opinions.

5th. That the B. C. Copper Company shall not alter any existing condition of employment of their employees without notifying the president or secretary of Greenwood Miners' Union, No. 22, W.F.M., and all notifications shall be in writing.

6th. That the management of the B. C. Copper Company or any of its officials, use any influence or in any manner interfere with their employees in their choice of doctor or doctors.

7th. That the management of the B. C. Copper Company cease soliciting the aid of the board of trade and certain individuals for the purpose of discrediting Greenwood Miners' Union, No. 22, W.F.M.

In reply to that the Company filed a statement denying the statements.

The first complaint is that the management of the B. C. Copper Company refused to recognize a committee from the Greenwood Miners' Union to adjust all grievances between the B. C. Copper Company and its employees.

The Company undoubtedly refuse to recognize the union. Undoubtedly the great majority of the Company's employees belonged to the union. On this point I certainly think that in fair dealing in industrial occupations there must be a recognition of the union by the employer in all matters in which a member of the union is involved. The union simply seeks by combination to protect its members, and so long as it does that it seems to me that it must and should be recognized by the employer. In this case, however, the employer objects to recognizing this particular union. If that objection is against unionism as such, then clearly the employer is in the wrong, but if, as the Company maintains in this case, the complaint is against unionism in the manner in which it is adopted at Greenwood, then there may be some grounds for the refusal to recognize the union at Greenwood. The Company assert that they have such grounds by reason of the stand taken by the union as against non-union men and against members of the union who refused to reinstate themselves in the union. On that question they put in evidence certain letters which follow:—

GREENWOOD MINERS' UNION No. 22.

Greenwood, B.C., April 22, 1909.

Mr. FRED. HOPKINS,  
Greenwood, B.C.

DEAR SIR,—Take notice that the members of Greenwood Miners' Union, at a regular meeting, placed a fine of \$50 against you for refusing to join this organization while working under our jurisdiction, and I was instructed to advertise you as unfair to organized labour, until such time as you become a member of this organization and pay the above fine into the treasury of Greenwood Miners' Union.

(Sgd.) GEORGE HEATHERTON,  
*Secretary.*

Greenwood, B.C., April 20, 1909.

Mr. BERT HOPKINS,  
Greenwood, B.C.

DEAR SIR,—I wish to notify you that at a regular meeting of Greenwood Miners' Union the members of this organization placed a fine of \$50 against you for refusing to put yourself in good standing in Greenwood Miners' Union, and I was instructed



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to advertise you as unfair to organized labour, until such time as you pay the fine and put yourself in good standing in Greenwood Miners' Union. I remain,

Yours truly,  
(Sgd.) GEORGE HEATHERTON,  
*Secretary.*

Greenwood, B.C., April 24, 1909.

Mr. GEORGE AIKEN,  
Greenwood, B.C.

DEAR SIR,—I wish to notify you that at a regular meeting of Greenwood Miners' Union the membership of this organization placed a fine of \$25 against you for refusing to become a member of Greenwood Miners' Union, and I was instructed to advertise you as unfair to organized labour until such time as you become a member and pay the above fine into this union. I remain,

(Sgd.) GEORGE HEATHERTON,  
*Secretary.*

Such action on the part of the union seems, in my opinion to depart from the true spirit of unionism, which, as I understand it, is to obtain a fair deal for the employee. In my opinion, the letters strongly smack of disloyalty not only to unionism, but to the laws of the country itself, and such a course as that adopted by the Greenwood Miners' Union cannot do otherwise than lead to distrust by the employer, and not only that, but lead to non-recognition by the employer, who should fairly recognize his non-union employees as well as his union employees, and these letters certainly give him fair grounds for stating that he finds it impossible to recognize the union under such conditions. I cannot find, by reason of the date of the letters, that they were the cause of complaint in this matter, but it seems to me that such letters having come to the knowledge of the employer that he is to that extent justified in refusing to recognize the officials of the union that acts in that manner. If it had not been for this unfortunate evidence, I certainly feel that there was no justification whatever for the company refusing recognition of the union.

The employer stands in a peculiar position. He must deal fairly with his non-union men as well as with his union men, and it seems to me that he is not acting outside the scope of fairness in protecting his non-union employee from an unfair demand made by union.

Again it must be borne in mind that the employer dealing with the union is dealing with a body which has not, in itself, any power to make a binding contract, and on this point it seems to me that in fairness not only to capital, but to labour itself, that each union should have the power to contract. If that were the case, I think it would tend much to lessen the feeling of permanent unrest which seems to prevail at Greenwood.

These two points being settled, I can see no reason why the parties in this dispute cannot get together. Really, the one foundation for the dispute is based on this one demand, i.e., recognition of the union, and I think that upon the elimination of the union's procedure as against non-union men and union men who are in arrears, as above outlined, that the Company might and should recognize the union in dealing with union employees, I felt that there might be some question on this point. The dismissal complained of happened at an unfortunate time. The Company was putting down its force. There was a feeling among the men, and everything that was done on either one side or the other was looked upon with distrust by the opposite party. I cannot find on this point that there was a clear discrimination against union men as such. There is suspicion in regard to cause of dismissal, but as it was done at a time when the Company was cutting down its force, I cannot find this charge is proved.



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(3) This demand is covered by my findings in the above.

(4) As to discrimination on account of political opinions, I do not think that existed.

(5) I think that this demand must necessarily stand or fall on No. 1. The Company, in fairness, should notify the men as to altering existing conditions of employment within reasonable scope. This matter is also one that speedily will be remedied when an adjustment can be arrived at between the Company and the union, as to recognition of the union by the Company.

(6) This demand is also one which I cannot find that the men have any complaint, and one which will speedily be remedied by recognition of the union by the Company.

(7) This demand is one in regard to the Company soliciting the aid of the Greenwood board of trade and certain individuals for the purpose of discrediting the Greenwood Miners' Union. On this point, I think there was no question that the men who signed the resolution complained of did so in all fairness and sincerity for the good of the community. The people of Greenwood, suffering as they did from shut-down after shut-down, were extremely anxious that work continue on this, the largest, property in their community. When apparently labour troubles had been arranged, the appearance of a notice requesting the men not to return to work until further notified, although it was accompanied by a notice calling a meeting of the union, filled their minds with distrust as to the future of the labour situation, and they, I think reasonably, felt as a board of trade, that a resolution deprecating the spirit of agitation in the district was one that would fairly meet with the approval of all parties without it being suggested that it was in any way directed against unionism. I think they were absolutely fair in that matter and were acting, as they thought, in the best interests of the community, apart altogether from any solicitation by the Company.

I would recommend:—

(1) That the union eliminate any practice of discrimination as against non-union men.

(2) That upon the cessation of such procedure the Company recognize and deal with the union in regard to all questions affecting union men.

(3) That no discrimination be shown against any person by reason of his taking an active part in the union.

The whole industrial situation in this camp is unfortunate. A feeling of distrust pervades the whole atmosphere, and so long as that feeling continues so long will trouble continue. Unless some feeling can arise which will tend to a belief by each party in human nature, even if the party is of the opposite side, no cessation of the present trouble can be contemplated. If the employer will fairly recognize fair union labour and the union will fairly deal with the employer, then trouble will cease, otherwise it will continue forever.

(Signed) P. E. WILSON,  
Chairman.

### MR. CRONYN'S REPORT.

The text of the finding of Mr. Edward Cronyn, member of the Board appointed on the recommendation of the Company, is as follows:—

In the matter of the Industrial Disputes Investigation Act, 1907, and in the matter of differences between the British Columbia Copper Company and its employees.

Report of the member of this Board nominated by the Company:—

At the conclusion of the sessions of the Conciliation Board, when it became apparent that it was impossible to make an unanimous report, it was arranged between the Chairman and myself that as we were entirely agreed upon all the points in question, that we should send in a majority report signed by both of us. Later, however,



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the Chairman advised me that after talking with some of the citizens of Greenwood he had come to the conclusion that his report would have a more beneficial effect on the labouring classes if he were not associated with the Company's nominee in making it, although he again unqualifiedly agreed with me in the whole matter.

Having lived for some years in the mining camps of British Columbia, including Greenwood, I am thoroughly familiar with labour conditions there. It is a fact that the American labour organization, known as the Western Federation of Miners, has for years been strenuously endeavouring to establish itself in the mining camps of British Columbia. It is notorious that many of the leading spirits of this organization in the states not only countenance, but encourage methods and principles which are entirely in defiance of law and order, and it is greatly to be deplored that this organization should have been permitted to gain any foothold whatever in Canada. It is hard for citizens of the eastern part of this country to understand to what lengths prominent members of this organization are prepared to go in their effort to dominate other members, and to enforce their wishes upon any community in which they operate. It is clear from evidence given at trials in the Western States, that violations of the law, sometimes involving crimes of violence and even murder, have been committed and justified by prominent members of this organization, and their defence has been paid for by the unions and public subscriptions made for them through the unions.

After a most careful consideration of all the evidence brought before the Board, I am convinced that the employees of the British Columbia Copper Company have no real grievances against the Company, and that the grievances alleged by the Miners' Union was merely trumped up by the officers of the Greenwood Miners' Union, No. 22, a branch of the above mentioned Western Federation of Miners, as they considered that the time was an opportune one to force the Company to recognition of the union in such a way as to make it absolutely necessary for any one applying for work in the Company to join the union.

It is quite clear from the evidence offered that these officers were not only not acting in the best interest of the employees of the Company in endeavouring to make trouble with the Company, but were actually taking steps to this end in opposition of a large proportion of the employees.

The leading spirit in the Greenwood Miners' Union appears to be one Heatherton, who conducted the case of the Miners' Union before the Conciliation Board, and in giving evidence he took a pride in describing methods followed by the union in recruiting new members, in retaining old members, and in dealing with those who would not become members, in which intimidation and blackmail were the leading features.

The address made to the Board by the manager of the Company at the first session, held on Saturday, the 1st day of May, and the answer thereto made by the above-mentioned Heatherton on Monday, the 3rd of May, are set out at full length, as they seem to give a reasonable indication of the spirit in which the Company and the union approached the Board.

The address of the Company's manager was as follows:—

‘Upon receipt of the copy of the application for a Board of Conciliation we wrote the Honourable the Minister of Labour suggesting that this Board be not appointed as there were no matters in dispute between ourselves and our employees. The Honourable Minister decided that it was better to grant the Board, and we have, therefore, willingly entered into the spirit of the conciliation and are here to assist you in every manner in our power.

‘You will note that the word “employees” while used by the Department of Labour in its communication to us in this matter, does not appear at all, in the ap-



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plication for the Board, so that it would seem we are called upon to deal with a matter respecting the Western Federation of Miners only.

‘First and last we wish to emphasize that we have no dispute with this organization, nor have we discriminated against its members. Our works are open to all capable men seeking employment, and we never inquire whether they belong to the Western Federation of Miners, carpenters, electrical workers or any other craft union, but at the same time we constantly refuse to discriminate against men who do not happen to be allied to these, nor will we countenance coercion to force our employees to attach themselves to any organization. Our attitude is simply that while we sympathize with organized labour when properly directed, we do not assume an arbitrary stand in any direction as regards the individual, merely requiring that he performs the duties assigned to him to our satisfaction.

‘It is our endeavour to stand faithfully by our employees who are honest in their endeavour to do what is right, and on this account we intend that you shall have every evidence of the conciliatory spirit in which we appear before you. Should it be required we shall give you most conclusive evidence that there has been no discrimination, not only in the cases cited in the application, but also at any time, and, in addition, we shall show you why it is not practicable to accede to the demand made in the application that any grievances that may arise be adjusted through a committee of the Greenwood Miners’ Union of the Western Federation of Miners.’

The address of the secretary of the union was as follows:—

‘The members of Greenwood Miners’ Union in making application for a Conciliation and Investigation Board, under the Industrial Disputes Act, do not wish to leave the impression on the public that we consider this Act is in any way intended to benefit the working class.

‘In fact, we consider the Industrial Disputes Act the most hostile piece of legislation on the statute-books of Canada at the present time against the labouring class.

‘Our reasons for thinking so is that the corporations can ignore it in nearly every case, as shown in one case in which Greenwood Miners’ Union was interested, and it would have been to our benefit to have a Board appointed, the Deputy Minister advised us that the Department of Labour did not consider a copper mine a public utility.

‘In May, 1907, the members of the Greenwood Miners’ Union believing they were entitled to a higher rate of wages, as the cost of living had advanced and as the price of copper had been over 24 cents for the previous six months, made a demand on the different mining companies operating properties in the jurisdiction of the Greenwood Miners’ Union for an advance of fifty cents per day in wages, and believing that the copper mines would come under the Industrial Disputes Act we made the demand to take effect the 1st of June, 1907.

‘The members of the Greenwood Miners’ Union believed at that time that if we could get a Conciliation and Investigation Board that we had the whip hand, as there had been enormous losses to the B. C. Copper Company through mismanagement, and if we could get a Board to demand the Company’s books the management of the B. C. Copper Company would grant our demands before he would allow an investigation.

‘But as the charges have often been made that the Western Federation of Miners is a lawless organization, we invite you to make a thorough investigation into our method of doing business, as we have nothing to conceal, and in making application for a Conciliation and Investigation Board, one of our objects is to let the public know the true condition in Greenwood camp.

‘When we made the demand in May, 1907, for an increase in wages, the managers of the different companies operating in the Boundary asked the committees representing the different unions to meet them in a body, as they would like to make



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a scale of wages to be general all over the Boundary country, and when the committees met them, they asked for time to go to New York to interview the executive boards of the different companies operating in the Boundary, and the committees representing the different unions granted them the time on condition that they would give an answer before 1st of June, 1907.

'After the managers returned and we realized, after meeting them, that they did not intend to grant the raise on the plea that with copper at 24 cents a pound there was very little profit for them. After showing them that 50 cents per day advance in wages would amount to about one-tenth of a cent on a pound of copper, taking their own reports as a basis to work on, as they claimed they could produce copper and lay it in New York at between 9 and 10 cents per pound. Mr. Hodges, the chairman of the managers, remarked that the reports as they sent them out were only to 'horn-swobble' the stockholders.

'The committee representing the various unions then made up their minds to apply for a Conciliation Board, and in answer to a telegram we sent to the Minister of Mines, his deputy notified us that we did not come under the Lemieux Act, as the copper mines were not considered by the department as a public utility. Then, realizing that we had all the power of capital, with the public press, including the mining journals of Canada and America, printing lying reports sent out by the agents of the Mine Owners' Association, against us, we arrived at a compromise.

'After the union voted on the scale and we adopted it, we posted a copy of the scale on a building at the Mother Lode mine, so that the men would know what they were being paid, so that they could make their cards supplied by the Company daily for that and other purposes. Mr. McAllister sent word to the superintendent of the mine to take the copy of the scale down, as he had not been notified officially by the Greenwood Miners' Union of the adoption of the scale. We had then to make a trip to the B. C. Copper Company and notify him to that effect.

'The managers of the various companies began to realize that the men, by being organized, were a power to be reckoned with, and Mr. McAllister started in very soon to show us that any man taking active part in the union would not work for him.

'Notwithstanding the fact that we did not ask for a raise for six months after copper had advanced to 24 cents, and when we did demand the raise we gave the management over one month's notice, but when the price of copper dropped and the conditions in the labour market were favourable to the operators, the various managers of the larger companies got together and closed all the properties in the Boundary without even 12 hours' notice, for no other reasons than to defeat the objects of the said Lemieux Act, as the Minister of Labour had given a decision after we had settled our grievances in May, 1907, that a copper mine was a public utility.

'In May, 1908, the B. C. Copper Company resumed operations under a reduced wage scale, but as copper was nearly one cent lower than when they shut down, they could not claim as an excuse the high wages paid in November as a reason for shutting down in November, 1907. During the shut down of the B. C. Copper Company's properties in November, 1907, and the resumption of work in May, 1908, Mr. McAllister was very active in getting the Greenwood Board of Trade to adopt certain resolutions placing all the responsibilities of the closing down of the B. C. Copper Company's properties on the labouring class, and the same resolutions were published and comments made in a great many of the mining journals published in America. Mr. McAllister also tried to influence foremen in charge of other properties near Greenwood to not employ certain men that belonged to the union, giving as a reason that if the said foremen employed union men that they would divide their wages with the men that he was trying to drive out of Greenwood, and he also made the remark that he had two good men in the union to report what was going on.

'In the appointment of E. C. Warren to the position of manager to the B. C. Copper Company's smelter, we believe that we can show to the satisfaction of the



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Board that the only qualification he had for the position was that he was president of the Greenwood Board of Trade, and the recognized political boss in Greenwood of the Conservative party in British Columbia, and that the said E. C. Warren would use his influence to distrust Greenwood Miners' Union.

'A few of the reasons that Mr. McAllister wanted to disrupt the union for were because the Greenwood Miners' Union were trying to get the benefit of certain laws on the statute-books of British Columbia, namely, the Master and Servants Act and the Workmen's Compensation Act, and we believe that we can show to the satisfaction of the Board that he has deliberately schemed to impress Company doctor on his employees, to defeat the objects of said Acts. We also believe that we can show to the satisfaction of this Board that there has been no effort on the part of the present management of the B. C. Copper Company to operate the mines and smelter of the Company for the interests of the stockholders as a whole, but their only object was to handle a large tonnage, and in trying to treat a large tonnage it resulted in enormous losses to the B. C. Copper Company, and we also accuse Mr. McAllister of using every means in his power to compel Greenwood Miners' Union to call a strike, so that he can place the responsibility of his mismanagement on to the shoulders of Greenwood Miners' Union.'

Attached to the address of the secretary of the union were the following demands:—

1st. That the management of the B. C. Copper Company recognize a committee from Greenwood Miners' Union No. 22, W. F. M., to adjust all grievances between the B. C. Copper Company and its employees.

2nd. That the B. C. Copper Company cease discriminating against members of Greenwood Miners' Union, No. 22, W.F.M.

3rd. That the B. C. Copper Company reinstate J. B. King and T. Y. McKay in their employment, and pay the said J. B. King and T. Y. McKay their wages in full from the time of their dismissal until such time as they are reinstated.

4th. That the B. C. Copper Company shall not discriminate against men on account of their political opinions.

5th. That the B. C. Copper Company shall not alter existing condition of employment of their employees, without notifying the president or secretary of the Greenwood Miners' Union, No. 22, W.F.M., and all notifications shall be in writing.

6th. That the management of the B. C. Copper Company or any of its officials, use any influence, or in any manner interfere with their employees in their choice of doctor or doctors.

7th. That the management of the B. C. Copper Company cease in soliciting the Board of Trade and certain individuals for the purpose of discrediting Greenwood Miners' Union No. 22, W.F.M.

The first demand is for the recognition of the Greenwood Miners' Union No. 22 Western Federation of Miners.

The Company claimed that some of their employees are not members of the union and as to these it is manifestly unfair, under any circumstances, that they should have to adjust grievances through the union. The Company also produced letters sent to their employees, copies of two of which, omitting dates and the names of the recipients, are as follows:—

GREENWOOD, B.C.

Mr. \_\_\_\_\_,  
Greenwood, B.C.

DEAR SIR,—I wish to notify you that at a regular meeting of Greenwood Miners' Union, the membership of this organization placed a fine of \$25 against you, for



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refusing to become a member of Greenwood Miners' Union, and I was instructed to advertise you as unfair to organized labour, until such time as you become a member and pay the above fine into this union.

I remain,

(Sgd.) GEORGE HEATHERTON,  
*Secretary Greenwood Miners' Union.*

(Séal of Union.)

GREENWOOD, B.C.

Mr.

Greenwood, B.C.

DEAR SIR,—Take notice that members of the Greenwood Miner's Union at a regular meeting placed a fine of fifty dollars against you for refusing to join this organization while working under our jurisdiction, and I was instructed to advertise you as unfair to organized labour until such time as you become a member of this organization and pay the above fine into the treasury of the Greenwood Miner's Union.

(Sgd.) GEORGE HEATHERTON,  
*Secretary.*

(Seal of Union.)

The secretary of the union, George Heatherton, was called and admitted that these letters were regularly authorized at a meeting of the union, and that he had signed and sealed them under such authorization and sent them to the men to whom they are addressed, and that this was their regular method of procedure. He further testified that they got new men by 'rustling for them. They approached a man two or three times, asking him to join the union, and if he did not do so they considered him 'unfair to organized labour' and advertised him in their official organs as 'unfair to organized labour.' On being asked if he thought the union had the right to do this he said they had—that might was right in the matter.

The Company claimed that it was impossible for them to recognize or deal with a union which would authorize such methods of blackmail and intimidation, and that to negotiate was also impossible. I think the Company's position in this matter is amply justified. I have frequently read in the official organs of labour unions the advertisements referred to, and have seen many hand-bills posted in a miners' union hall containing the names and descriptions of men who, it was alleged, were unfair to organized labour, and were, therefore, 'scabs,' and were to get no employment of any kind. In such cases these bills are scattered broadcast through the mining country both north and south of the line—a terrible condition of affairs to be permitted in a country where law and order are supposed to prevail.

The second demand deals with discrimination against members of the Greenwood Miners' Union. The representatives of the union brought a number of witnesses who testified as to discrimination. These stated that a number of employees had been dismissed shortly after having shown activity in the affairs of the union, or in canvassing the employees of the Company who were not members with the object of getting them to join the union. In the majority of the cases mentioned it was shown that the positions of the men dismissed were filled by other members of the miners' union, and that in all cases there was a good reason for the dismissal of the men. These facts were brought out from the witnesses produced by the union itself, and the Company did not bring any evidence on the point, as they claimed that no discrimination against members of the union had been proved.

I cannot find that any discrimination has been proved, in fact it is quite clear from the evidence of the union's own witnesses that the Company never made inquiry as to whether a man was a member of the union or not.



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The third demand embodied specific instances of alleged discrimination. The evidence given by J. B. King shows that no discrimination was made in his case. He admits that he was told when he 'got his time' that the Company was reducing its forces and was giving the preference to married men. He also testified that men were discharged at the same time that he was while he thought that men had been taken on since, he was not positive of this. He admitted that he had been guilty of infractions of the rules.

The evidence given by T. Y. McKay shows clearly that the Company was reducing its forces at the Mother Lode mine where he was employed—that quite a number of men were laid off before he was, and that the man who took his position on the work was a member of the Miners' Union. He also admitted that he had broken some of the rules and had been absent frequently from work during the time immediately preceding his discharge.

I do not find any discrimination in either of these cases, as the Company was justified when making a reduction of its staff in selecting the men best fitted for the work, and the fact that union men took the places of these two shows there was no discrimination against the Miners' Union. I do not think that any injustice was done to either J. B. King or T. Y. McKay in their discharge, and, therefore, cannot find that the Company should pay either of these men any wages as is demanded.

The fourth demand speaks of discrimination on account of political opinions. There was no evidence produced that any such discrimination took place.

The fifth demand, that the Company should not alter any existing condition of employment of their employees without notifying the union is of a very general nature. No evidence was given by the union supporting the demand or pointing out more specifically the conditions referred to. I do not think it either practicable or reasonable that the Company should be required to give such notice.

The sixth demand deals with the question of a choice of a doctor for the men. The union produced no witnesses to show that the present system worked any hardship upon any of the employees of the Company. This was the only question the Company produced any evidence on, as its manager had taken a personal interest and pride in improving the condition of its employees so far as medical and hospital attendance is concerned. The Company went fully into the arrangements in this respect and showed that the change in the arrangements, which appears to be found fault with in this demand, has operated very greatly to the advantage of the employees and their families. The change spoken of involved the election of doctors by the employees, the majority in favour of the present doctors and of the new system being overwhelming, and as a result the men now have a well equipped emergency hospital and surgery at the Mother Lode mine, and all first aid necessities at the smelter and at the different other properties operated by the Company. The monthly fee under the new arrangement includes a great number of common diseases for which the men formerly had to pay the ordinary doctor's fees and the fees for attendance on families of employees have been very materially reduced by the new system.

The seventh demand speaks of the solicitation of the Board of Trade and certain individuals by the B. C. Copper Company for the purpose of discrediting the union. The union officials produced a large number of witnesses, members of the Board of Trade, nominally to testify to this point, but quite evidently for the purpose of intimidating the tradespeople and others called and of injuring their trade with the labouring class. All these men stated positively that no solicitation of any kind had been made to them for the purpose of discrediting the union, and I find that the management of the Company has not so solicited either the Board of Trade or other individuals as is charged.

(Signed) EDWARD CRONYN,

June 10, 1909.



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## MR. McINNIS' REPORT.

The text of the findings of Mr. John McInnis, member of the Board appointed on the recommendation of the employees, is as follows:—

THE DEPARTMENT OF LABOUR,

Ottawa, Canada,

In the matter of the dispute pending between the British Columbia Copper Company and the Greenwood Miners' Union, acting in behalf of the employees of this Company, and the investigation held thereon under the 'Industrial Disputes Investigation Act.'

As the representative of the employees on the Board, I regret to say that the members of the Board have been unable to agree on a joint report. And we were unable to bring the parties involved to an amicable agreement.

Therefore, the undersigned respectfully submits the following report and recommendation:—

After hearing the evidence given by over thirty witnesses examined, and after careful consideration of the same, it was evident that the charges made by the Greenwood miners were well founded. The Company by its failure to produce evidence to the contrary, left the impression that the case as presented by the union was a very strong one indeed. That the manager of the B. C. Copper Company is a hard man to deal with was fully proven by the investigation, and, in the opinion of the writer, the difficulties between the management and the employees were due largely to the failure of the manager of the Company to meet his employees in a spirit of fairness.

In paragraph 3 (three) of the Company's reply to the employees' demand for a Board of Investigation, we find the following: 'The Company has never had any relations with the union,' but the evidence shows that the manager had at various times dealt with the union in adjusting questions of wages and conditions.

That the officials of the B. C. Copper Company were doing their utmost to disrupt the union was amply proven. The discharge of men who took any active part in the work of their organization would eventually result in crippling the union and render it ineffective. This was the policy of the Company as proved by the evidence. Testimony by several witnesses tended strongly to show that a 'blacklist' exists in this district. Men who were not agreeable to the officials of the B. C. Copper Company had experienced considerable difficulty in holding positions where any influence could be brought to bear by the officials of this company. That there was no necessity or justification for the passing of certain resolutions by the Greenwood Board of Trade was practically admitted even by those who had signed those resolutions themselves.

No proof being found with which to substantiate the recitals contained in these resolutions. After all the evidence was adduced the Board endeavoured to get the parties to the dispute together so that if possible they might arrive at an understanding.

The officials of the union signified their willingness to confer and settle on reasonable terms, but the representatives of the Company refused point blank to have any dealings with the union or recognize them in any way as a union.

The manifest willingness of the union to meet the Company and settle on reasonable terms would indicate that if the Company was desirous of settling the dispute it could be settled with very little difficulty.

After taking considerable pains to get the true facts in this dispute, and having some knowledge of the conditions in this district, the following would, in my judgment, be a fair basis of settlement.

1. That the British Columbia Copper Company recognize and do business with Greenwood Miners' Union, No. 22, W.F.M., and that all questions affecting wages



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and conditions between the Company and their employees be adjusted through said union.

2. That active participation in the work of the union, or the holding of any political opinions, should not interfere with securing or retaining employment.

3. That every facility be given the employees to take advantage of laws upon the statute-books of British Columbia for the protection of labour.

4. That both parties to the disputes lay aside all ill-feeling towards each other and endeavour to have more harmonious relations in the future.

These suggestions, if put into effect, could not interfere with legitimate mining operations, and would be mutually beneficial throughout the metalliferous mining districts of British Columbia.

There has been scarcely any serious labour troubles for a number of years, and this condition is due in a large measure to the fact that nearly every company operating in the province recognize the Western Federation of Miners.

The miners of British Columbia are an intelligent body of men, and in their dealings with their employers they invariably show a spirit of fairness. If capital invested in British Columbia is to have smooth sailing it must be represented by men who are willing to grant their employees rights as men and citizens.

(Sgd. JOHN MCINNIS.



**IV.—APPLICATION FROM EMPLOYEES OF THE NICOLA VALLEY COAL AND COKE COMPANY, MIDDLESBORO, B. C.—BOARD ESTABLISHED—EMPLOYEES CEASED WORK—AGREEMENT SUBSEQUENTLY CONCLUDED.**

*Application received.*—April 13, 1909.

*Parties concerned.*—Nicola Valley Coal and Coke Company, Middlesboro, B.C., and employees.

*Applicants.*—Employees.

*Nature of industry concerned.*—Coal mining.

*Nature of dispute.*—Alleged discrimination against certain employees.

*Number of employees affected.*—150.

*Date of constitution of Board.*—May 7, 1909.

*Membership of Board.*—His Honour Judge P. S. Lampman, Victoria, B.C. (Chairman), appointed on the recommendation of the other members of the Board; Mr. Thos. Kiddie, Northport, Wash., appointed on the recommendation of the employing Company; and Mr. Thos. Chas. Brooks, Merritt, B.C., appointed on the recommendation of the employees.

*Reports received.*—June 3, June 11, June 16, 1909.

*Result of inquiry.*—Employees ceased work during constitution of Board, and mines were closed down until after the investigation was finished, when operations were resumed, the men being engaged under new conditions. An understanding was subsequently reached between the management and the men, which was no doubt promoted by the inquiry.

The Minister received on June 3 the report of the Board established to adjust a dispute between the Nicola Valley Coal and Coke Company of Middlesboro, B.C., and its employees. This report, signed by His Honour Judge P. S. Lampman, of Victoria, B.C., Mr. Thomas Kiddie, of Northport, Wash., member appointed on the recommendation of the Company, and Mr. Thomas Charles Brooks, member appointed on the recommendation of the employees, showed that there were various points on which Mr. Brooks was unable to concur in the findings of the Chairman and Mr. Kiddie. A subsequent report was received on June 16, bearing the signatures of the Chairman and of Mr. Kiddie, and a minority report was received on June 11, signed by Mr. Brooks.

The application in this matter, received on April 13, alleged discrimination on the part of the Company in the dismissal of James Hardman, one of its employees, on account, it was claimed by the employees, of his being an active member of the local union of the United Mine Workers of America during the organization of this camp. The application called for Mr. Hardman's reinstatement with compensation for lost time. To this complaint a further statement of grievances was added during the sessions of the Board, the principal item in which was the dismissal of another employee for the first offence of dirty coal. The number of employees affected in the dispute was about 150. Mr. Thomas Charles Brooks, of Merritt, B.C., was appointed a member of the Board on the recommendation of the employees. Mr. Thomas Kiddie, of Northport, Wash., U.S.A., was appointed a member of the Board on the recommendation of the Company. His Honour Judge P. S. Lampman, of



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Victoria, B.C., was appointed Chairman on the recommendation of the other members of the Board. During the formation of the Board, it was announced that the employees affected had gone on strike.

The Company's mines were closed down until after the investigation under the Act was concluded, when operations were resumed, the men being engaged under new conditions. The department was informed in a letter from the Company, dated June 15, 1909, that an understanding, which was understood to have been promoted by the inquiry, had been reached between the management and the men.

In its findings above referred to, the Board expressed the opinion that the Company was justified in discharging James Hardman, and that there was no discrimination against him within the meaning of the complaint. The Company's charge against Hardman was that of firing a shot off the solid. Mr. Brooks did not agree with this finding, but held Hardman innocent of the offence charged against him, and is also of the opinion that discrimination was shown against him on the part of the Company.

In the case of W. H. Reid, who was discharged for the alleged offence of 'dirty coal,' the Board was of the opinion that it was shown that Reid deliberately loaded rock in his car for the express purpose of precipitating trouble, and in such cases the Company was justified in discharging him. Mr. Brooks, in his minority report, claimed that a less severe punishment should have been given in this case.

At the sitting of the Board in Vancouver, a resolution passed at a mass meeting of the Middleboro miners, held on May 21, was filed with the Board. This resolution was one agreeing to be bound by the decision of Judge Lampman, the Chairman. An adjournment was taken to obtain the Company's decision, which was against this proposition. Mr. Brooks, in his minority report, referring to the passage of this resolution, claimed that this was 'refused by the representative of the Company, Mr. Kiddie, the Company instructing him that they would be bound by no decision, which left chances for a settlement impossible.'

## REPORT OF THE BOARD.

The report of the Board was received in the department on June 3, as follows:—

May 26, 1909.

In the matter of the Industrial Disputes Investigation Act and in the matter of a dispute between the Nicola Valley Coal and Coke Company, Limited, and its employees.

The Board, composed of Messrs. Thomas Charles Brooks and Thomas Kiddie, with Judge Lampman as Chairman, visited the mines in the Nicola valley, and having taken evidence and considered the various matters referred to, it begs to report as follows:—

The nature of the complaint or grievance is given first and then the conclusions of the Board.

1. COMPLAINT.—The nature of this dispute is a charge of discrimination by the Company against James Hardman, who was discharged for an alleged offence of firing a fast shot.

CONCLUSION.—The Board is of the opinion that the Company was justified in discharging Hardman and that there was no discrimination against him within the meaning of the complaint. Mr. Brooks does not agree with this finding, and holds that the evidence shows that Hardman did not fire the shot, and he is also of the opinion that there was discrimination.

2. COMPLAINT.—The case of W. H. Reid who was discharged for the first offence of dirty coal.



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The Board is of the opinion that it was shown that Reid deliberately loaded rock in his car for the express purpose of precipitating trouble, and in such circumstances the Company was justified in discharging him, and that it was not incumbent on it to invoke the provisions of Article 18 of the agreement respecting dockage.

Mr. Brooks is of the opinion that Article 18 of the agreement was broken by the Company, and the Company was not justified in discharging, but if satisfied beyond all doubt that the rock was loaded wilfully he would say that Reid could have been discharged even for a first offence.

3. COMPLAINT.—The case of Geo. Martinovitch who was laid off work on account of sickness and was refused employment upon making application after recovery.

CONCLUSION.—The Board does not think there is any merit in this complaint, but Mr. Brooks thinks the Company was not justified in its course, having regard to Article 8 of the agreement.

4 and 5.—The settlement of the price of coal in certain places.

In view of the stand taken by both parties respecting a settlement, the Board was unanimously of the opinion that no useful purpose would be served by making an investigation in these matters, and so announced at the hearing, and its decision was agreeable to both parties.

6. COMPLAINT.—Request for reinstatement of George McGruther as stableman.

CONCLUSION.—As the stableman is included in the agreement, the men felt they should protect him in his employment, but the Company says it had no fault to find with McGruther, but it thought that the man appointed in his stead was better, especially his ability to deal with sick horses. The Board is unanimously of the opinion that it would be better if the stableman was not included in the agreement.

7. COMPLAINT.—Request that the Coal Mines' Regulation Act respecting ventilation be enforced and complaint against unqualified mine manager.

The Board was unanimously of the opinion that these were not matters for it to investigate, but were rather matters for the Minister of Mines of British Columbia and the inspector, and the complaint was forwarded by the Board to the Minister of Mines.

The Board regrets that its efforts to effect a settlement were unsuccessful.

Dated at Vancouver, B.C., this 26th day of May, A.D. 1909.

(Signed) P. S. LAMPMAN,  
*Chairman.*

T. CHAS. BROOKS,  
THOS. KIDDIE.

On June 11 a subsequent report, bearing the signatures of the chairman and of Mr. Kiddie, was received in the department as follows:—

#### A SECOND REPORT.

In the matter of the Industrial Disputes Investigation Act, and in the matter of a dispute between the Nicola Valley Coal and Coke Company, Limited, and its employees.

The Board, composed of Messrs. Thomas Charles Brooks and Thomas Kiddie, with Judge Lampman as Chairman, pursuant to a previous arrangement made at a preliminary meeting in Victoria, held its first meeting in a public hall in Merritt on May 17, 1909. The mines are situated at Middlesboro, about a mile from Merritt, and the miners live some in the one place and some in the other. The grievance of the employees as stated in the application for the appointment of the Board was in respect to the case of a miner named James Hardman, who had been discharged for firing



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a shot off the solid. Before proceeding, the Company, in writing, stated that it was unwilling to be bound by the decision of the Board, and the employees, through the union, Local No. 872 of the United Mine Workers of America, in writing, stated that they were willing to be bound by the unanimous decision of the Board. As to the decision of two members of the Board, according to the Act, section 46, constitutes the decision of the Board, it will thus be seen that neither of the parties was willing to be bound by the decision of the Board. In addition to the Hardman case there were other matters for the Board to consider, as will be seen from the following letter addressed to the Board:—

UNITED MINE WORKERS OF AMERICA, LOCAL NO. 872.

MIDDLESBORO, B.C., May 17, 1909.

TO JUDGE LAMPMAN AND MEMBERS OF BOARD OF CONCILIATION:—

DEAR SIRs,—The following grievances in addition to the case submitted to Ottawa. We request you to take into consideration and deal with during your sitting at this time in order to bring about a peaceable settlement here if possible.

1. The case of W. H. Reid who was discharged for first offence of dirty coal.
2. The case of Geo. Martinovitch who was laid off work on account of sickness, and was refused employment upon making application after recovery.
3. The settlement of a price on coal in No. 2 slope and district.
4. The settlement of a price on coal in No. 5 mine.
5. The reinstatement of George McGruther as stableman, the Company not giving a reasonable cause for his removal, stating the man was quite competent to hold that position prior to his removal.

6. The Coal Mines Regulation Act respecting ventilation be enforced.

Also qualification of mine managers and overman. The dispute is bad ventilation and unqualified mine manager.

On behalf of Local Union 872,

We are, Sirs, truly yours,

D. R. McDONALD,

*President.*

W. H. REID,

*Secretary.*

Immediately on our arrival at Merritt arrangements were made for the use of a public hall, and both sides to the dispute were notified of a meeting which was held in the evening, and the taking of evidence was commenced. The men were represented by D. R. McDonald, president of the union, James Hardman and W. H. Reid, while the Company's representatives were W. H. Armstrong, general manager; J. J. Plommer, secretary-treasurer, and James Gray, the mine manager. The two chief matters of dispute were in respect to the cases of Hardman and Reid, and it was known from the beginning that the company took a firm stand and under no consideration would it reinstate either, while the men, on the other hand, were just as firm in their resolve to not go back to work unless both were reinstated. However, after taking much evidence, the Board decided to have a private conference with the representatives of both sides to see if some amicable settlement could not be arrived at, the Board hoping that one or the other, if not both of the parties, would be willing to concede a little. As both Reid and Hardman were so directly interested it seemed to the Board that it would be better if the men appointed other representatives to attend the conference, and acting on this suggestion James Paton and Abram Reid were appointed. It should be mentioned that at the time the suggestion was made it was stated that it was merely a suggestion and that the men were free to appoint whomsoever they pleased. The men so appointed in the place of Hardman and Reid, along with the president of the



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union, attended next morning the conference, but they stated they could not recede from their position already stated, and as the Company's representatives also adhered to their stand there was nothing left for us but to proceed with the taking of evidence.

1. THE HARDMAN CASE.—On Sunday (there is no general work in the mine on Sundays), 14th February, Fireboss Reid saw indications of a fast shot, or a shot fired off the solid without any mining having been done before firing, in place No. 10½ in No. 2 mine, and on Monday morning he reported it to the overman. On Saturday morning's shift, 7 a.m. to 3 p.m., two men named Lambert were in that place, and Hardman and Brown followed them for the afternoon shift, 3 to 11 p.m., and from then till Monday there was no work there. The next week the men changed shifts and Hardman and Brown went in for the morning shift, but when they got there the overman, David Gray, sent them out because of the fast shot; as Hardman and Brown were the last he held them responsible and sent them out. They then saw James Gray, the mine manager, and denied having fired the shot; the manager told them he would investigate. He saw the fireboss, W. N. Reid, who he says told him he saw the place at 2.20 p.m. Saturday; the Lamberts had quit at 3 p.m. Saturday, and Hardman and Brown had gone on, and there were then no indications of preparations being made for a shot. Overman David Gray saw the place at 2.40 p.m., and saw no preparations; David Forsyth, who was timbering in the place during the Lamberts' shift, told him no shots were fired out of the solid while he was there, and Robert Henderson, who was mining in place No. 10, told him he heard one shot in 10½ at about 6 p.m. Hardman came to the office for his pay cheque, as it was pay day, and the manager told him he had concluded he had fired the shot, and Hardman's reply was, 'Can you prove it?' Gray told him he could. At that time the Company had no agreement with the union, but under the agreement with the employees then in force provision was made for meetings between the management and a committee of six men. The manager asked this committee, called the Pit Committee, to inspect the place. This the committee did, and the manager told them he had discharged Hardman, and added that if Hardman did not fire the shot he wanted to know who did. Complaints had been made to the management before about Hardman firing off the solid; Fireboss Reid had told him that he would have trouble with Hardman as he would not mine his coal. Brown had a good reputation, and the manager reinstated him, but not Hardman.

On 23rd February, Hardman went to work at the Diamond Vale Colliery, and worked there till it shut down on 20th March.

The case on behalf of Hardman as presented to us was that Hardman was discharged without justification, and that there was discrimination against him by the management.

In the first place, it should be pointed out that it was impossible for the Board to arrived at a really satisfactory conclusion on the fact as to who fired the shot, because of the fact that many of the most important witnesses had left the camp; in many cases the absentees had made statements in writing, but not much reliance could be placed on these, as they were not seen by the Board, and there was no opportunity to cross-examine.

The evidence adduced on behalf of Hardman was his own, in which he denied the charge and contended that the manager had a grudge against him. He said that in February he took his case to the union, but as an agreement with the company was then under negotiation, he agreed to wait rather than prejudice the chances of an agreement being reached. He said that he and the manager once had a dispute over a place in which he refused to work, as he considered it unsafe. He produced a letter from Tim Lambert in which Lambert admitted firing the shot, and stated that he hoped Hardman would forgive him; also a declaration from Brown to the



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effect that when he and Hardman went into the place on Saturday they found the shot blasted off the solid and they could not work until they timbered the place up.

Abram Reid, a miner, testified to a conversation with Lambert's brother, who said he fired a shot in the place, but he did not know if it was the one for which Hardman was discharged, also to a conversation with Tim Lambert, who admitted he fired the shot to spite Hardman, because one night on the street he would not recognize him; Reid admitted Tim Lambert was drunk at the time of this conversation.

Fireboss W. N. Reid testified to examining the place at 1.50 p.m. on Saturday (not 2.20 as stated by the manager), and to Tim Lambert telling him Hardman did not fire the shot; he had instructions from Gray to watch Hardman and to report him if he caught him firing off the solid.

Joseph Westwood was working in No. 11, Saturday afternoon's shift, and says he thinks one or two shots were fired in 10 or 10½ at quitting time, i.e., while the Lamberts were on.

John Holdsworth, with whom Gray boarded in December, testified to hearing Gray say that the first chance he got he would discharge Hardman.

Andrew Kalien, who was working in 10 on Saturday afternoon, testified to Hardman's helper coming to in 10 for clay, and saying they were going to fire a nigger head in 10½.

For the Company, Benjamin Borwitt, the certificated mine manager, gave unimportant testimony; in cross-examination by Hardman he said that Gray never told him that he (Hardman) was born with a drill in his hand, but that there was a man who told him that and that Hardman wanted to shoot off the solid. Hardman did not ask who the man was.

Bruce R. Warden, the superintendent engineer, testified to having returned to the mines from England on 1st March, and 6th March, Hardman saw him about the case, and as he (Warden) knew nothing about it he asked if he (Hardman) had seen Gray about it, and Hardman said 'no,' but that it was up to Gray to prove that he fired the shot. Warden then told him he should see Gray, as he could not expect the manager to run after him over the trouble. The agreement (to take effect 1st March) between the local union and the Company was accepted by both parties on 15th March, and the first intimation that the Company had that the men intended to interfere in the Hardman case was on 20th March, when the copy of the application for Board of Arbitration to Minister of Labour, dated 19th March, was received by mail.

Lewis Beltner testified to mining with Hardman and seeing him fire shots off the solid.

David Forsyth testified to being in the Lamberts' place timbering, and not hearing any shot, or seeing any preparation for or after effects of same; he had to go occasionally about 400 feet for props, but heard no shots while away.

Hugh Gillespie, overman, testified to seeing Hardman the afternoon he was discharged, and he then told Hardman he should get all those that worked in that place up at the office and try to find out who fired the shot, but he never tried to get an investigation. There had been some evidence by the mine manager to effect that Hardman said one time in the blacksmith shop in his presence that he carried his mining in his powder can, and Gray then told him he must mine his coal and not shoot off the solid. Gillespie testified to Ward, the then president of the local union, saying to him (Gillespie) that he had told Hardman that he was a fool to make such a statement in the presence of the manager. Gillespie also said he had seen in No. 2 mine in Hardman's place indications of shots having been fired off the solid.

David Gray, the overman, who had sent Hardman and Brown out, testified that the Lamberts denied to him having fired the shot.



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A written statement by Martin Lambert denying that he or his partner fired the shot was put in.

The Chairman asked for a member of the pit committee to state what the committee did. Thomas Skelton came forward from the body of the hall and testified that he was one of the committee, and that along with the other members he examined the place; that they reported to the union, and that the dispute was not taken up.

On Hardman's behalf John Moon was afterwards examined in Vancouver. He was helper to Hardman and Brown. He testified to finding the place full of smoke at 3 p.m. on Saturday when he went in ahead of Hardman and Brown; the fast shot had just been fired and the place was in a bad state. Timbering was done by Hardman, and a nigger head was broken up; he went in the next place for the clay and the shot used in the nigger head was the only one in that place during the shift. The whole shift they worked clearing the place up and sending out the coal blown down by the fast shot. He said he told the manager that the shot was not fired that shift.

On this evidence the Board was asked to find that Hardman did not fire the shot and that therefore he was unjustly discharged, but the Board is of the opinion that the mine manager, on 15th February, when he made his investigation, was quite justified in coming to this conclusion. All the necessary witnesses were then on the spot, and he was in a better position to get at the truth than was the Board. In the first place, he was quite right in holding that Hardman and Brown were responsible, as it was in their place, and they had been there in the shift before it was discovered. Hardman seemed to think he must be proved guilty before any action could be taken, but under the circumstances the onus was on him to prove the shot was not fired during his shift. He knew he was being watched, and if he found the shot, smoke, &c., as soon as he went on at 3 o'clock Saturday afternoon, he could easily have removed suspicion from himself by at once reporting it. Then, again, if he had a good case, it is strange that he did not convince the pit committee of it and get them to take it up; this feature of the case the Board considered very significant.

Of course, if Moon's evidence is given full credit, it would clear Hardman, but Moon could not conceal the fact that he had a strong feeling against the company. Besides, if Moon's story is correct, Forsyth's must be wrong, as it is hardly possible that the shot could have been fired in the Lambert's place without Forsyth's knowledge, especially in view of the smoke, &c., that Moon told of. The evidence of Moon and of Forsyth offset each other.

As to the charge of discrimination, this entirely failed. There was no evidence of Hardman ever being prominent as a union man, and the management had nothing against him on that score. Some attempt was made to show that Hardman's place was a dangerous one, and that he was especially picked out for a bad place. The reports on the different places by the fire bosses were produced, and for a long time before 13th February, and after it appeared that No. 10½ had a good average record as to its condition in regard to safety, &c. The mine manager had no doubt said he would discharge Hardman if he did not mine his coal and he had probably some feeling against him, but he apparently did not let that feeling act unfairly. Brown had a good reputation and Hardman a bad one as to firing on the solid, and no fault should be found with the decision to reinstate the man with the good reputation. While on account of the suspicion that the Lamberts might have been responsible for the shot, the Board had some doubt about the Hardman case, it is of the opinion that Hardman failed to make out a case for reinstatement.

2. THE REID CASE.—On 12th April, William H. Reid and one Tully were mining on contract work in place No. 5 in No. 1 mine, and about 10 a.m., Hugh Gillespie, an overman, noticed a car come out of the mine with a lot of rock on the top; he looked at the tally on the car and saw it was from Reid's place. As Gillespie's evi-



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dence is important, and as it is practically uncontradicted, a part of it is here set out in full:—

‘On Monday morning, April 12, between 7 and 8 a.m., Mr. Gray and myself went into No. 1 mine. We went into all the working places, including the place in which Wm. Reid and Thos. Tully were working. After examining the said place Reid brought up the subject of rock in his place. Mr. Gray referred to the schedule, saying that it covered all the abnormal places. Reid stated to Gray that if he could get a reasonable price for the rock he would prefer it rather than work for \$3.30 on day work. Gray asked Reid how much he would like for the rock, and Reid asked for \$1.50 per yard. Gray said he thought that it was too much and offered Reid and his partner \$1, which they agreed to as being sufficient to cover the deficiency, and Mr. Gray warned Reid to fill his coal as clean as possible.....I met Reid and Tully coming out, and saw that they were prepared to go home. I stopped them and told them I did not intend them to go home. All I wanted them to do was to go out and look at the car in question and return to work and to fill cleaner coal. Reid went over to the car and exclaimed that it was a hell of a note if men were to be called out from work to look at the like of that. I said that it was too bad, meaning the amount of rock. I again asked them to return to work, and Reid said there had been enough trouble in the Crow’s Nest Pass over the sending in the mine for men for the same thing. I then told Reid and his partner the reason that I sent in the mine for them was that Reid had made the remark in my presence that Gray had it in for him, and I wanted them to see that there was no crooked work going on in regard to this car. Reid seemed satisfied with that, but still refused to go back to work, saying that once he came out of the mine he thought it was unlucky to return the same day. I then told Reid that I would dock the car and see how much rock was in it, and he told me if I did dock it he would call a special meeting of the union and that there would be trouble. I told Reid to go ahead and call all the meetings he liked. The Company could not stand for any such stuff coming out of the mine. He said anyhow the little coal they would produce that day would not affect the output much, and I said that it would not, so they went home. I went over to the office about half an hour after. Gray was in and I brought up the subject with him. I asked him if he would take a look at the car and tell me if I had done right in asking the men to come out and look at the car, and he told me I had done right. I then told him that I had requested the men to return to work, but they would not do so, so we called the weigher along and told him to mark the car and pick out all the rock, lay it aside separately for future reference. About 2 o’clock Warden, Gray and myself were standing on the mine tracks when the weigher came up and told us he was going to dump the car, and if we wished to see it to come on to the tipples. We went out and all the rock, which is in the office, which came out of that car, amounting to 364 lbs., one piece of which was 81 lbs., and six other pieces weighed 61 lbs. Gray then decided to discharge the men, which he did. Tully came to me the next day and took his time, making no remarks to me as to the place being underpaid, he having made \$4.77 during the time he worked it. Reid admitted to me that when they received the word to come out and see me he said to his partner, that’s about our coal.’

The union took up Reid’s case, and after he was off eight or nine days the committee and the manager arranged that he should go back at Company work, and as to just what was meant by that a dispute arose which brought about the strike. Reid had been working underground and the minimum wage there when on Company work was \$3.30 for eight hours. Reid was put at outside work and as soon as he found out he was to get only \$3 for nine hours he quit, and in consequence of this and the delay by the Company in answering the application for the appointment of a Board of Conciliation the men went on strike, and on 23rd April the Company received the following communication:—



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Middlesboro, B.C., April 23, 1909.

TO THE NICOLA VALLEY COAL AND COKE CO.:—

DEAR SIR,—Referring to the conversation which took place between Mr. Plummer and our district representative, Mr. C. Brooks, as to what terms our men will return to work, we have to submit to you the following ultimatum, dictated by your employees, and upon which they will resume work.

1. That James Hardman, who was discharged by firing a shot from the solid, which has since been proved he was innocent of, is reinstated, with compensation for time lost.

2. That W. Reid, who was discharged for the first offence of dirty coal, is also reinstated in his old position prior to discharge, or a similar one.

3. That Geo. Martinovitch, who was laid off sick, and has since applied repeatedly for employment, without results, is given back employment.

4. That the check-off system be put into effect by the management, *re* the signing up.

5. That the prices for work in No. 2 slope and district, also No. 5 mine, be satisfactorily settled.

6. That the management will refrain endeavouring to bring about individual contracts on any class of work, as per agreement.

7. It being distinctly understood that the management will refrain from personal prejudice or discrimination on matters affecting the U. M. W. of A.

On behalf of the local union 872, U. M. W. of A.

(Signed)

Committee: D. R. McDONALD, President.  
W. N. REID,  
JAS. PATON,  
B. R. BARLOW,  
A. B. REID,  
T. CHAS. BROOKS, Rep. Dis. 18.

## DOCKAGE.

Article 18 of the agreement between the Company and its employees, and which had just been entered into, was as follows:—

To offset refuse or other material in car, 28 lbs. shall be added to the tare of the mine cars; but any miner filling rock in his coal in excess of 200 lbs. in any one car, shall be liable as follows:—

First offence, warned.

Second offence, docked 500 lbs.

Third offence, docked 1,000 lbs.

Fourth offence, he shall lose his car.

Fifth offence, he shall be suspended three days.

Sixth offence, he shall be discharged, provided the offences have all occurred within thirty days.

But before dealing with this article the evidence respecting the car of coal sent out by Reid should be considered. Reid's defence was that the place had very poor ventilation, and in consequence it was full of smoke; that the coal was interspersed with hard rock and that the roof was in bad shape with hanging rock; that it was impossible to load coal because there was so much rock and that the big piece must have fallen from the roof. Gillespie's account of what happened was uncontradicted, and the dispute was over the question as to how the rock got in the car. Witnesses were called by Reid to show that the place contained a lot of rock, and that



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a miner on contract work could not make pay and load clean coal, but as a matter of fact the men that followed Reid in the place ran \$3.52 per day. They also said the roof was bad and likely to fall, and that some of the rock may have fallen from the roof into the car.

For the Company evidence was given to the effect that where the car stood rock falling from the roof could not fall into the car. Frederick Shields, who owns a building in Middlesboro in which the Middlesboro Social Club has its rooms, was called, and deposed to a conversation he had with Reid before the strike while he boarded at Reid's house. He said that Reid said he did not have to work for the Company, and that he would give them an opportunity to fire him, but if they did not do it in a proper way he would make it warm for them. Shields acts as a barber and bartender at the club, whose members are largely officials of the Company.

Now, in considering the question as to whether or not Reid deliberately loaded rock in his car, it should be mentioned that he is a good miner; the records showing that while mining he has earned as high as \$8.85 on one shift, and for some months he has worked as a fire-boss, and he is not so likely to mix rock with coal unwittingly as a less competent workman. The rock had been saved, and the Board and representatives of both parties inspected it. The largest piece was about 3 feet long and so thin that it would probably have broken if it had fallen into the car from the roof. It certainly was not put in on a shovel, and the experienced miner if lifting it in with his hands would detect the difference in weight. Reid argued that under Article 18 of the agreement the Company cannot discharge a first offence of loading dirty coal even though loaded wilfully. The Board accepted Shields' statement in full, and is of the opinion that Reid deliberately loaded the rock and intended to make the Company work out the tedious procedure of Article 18 as to discharging him, and if it did not, that he would bring about just about the very trouble that his act caused. The Board is of the opinion that Article 18 is intended to apply to cases of carelessness, and that where a man loads rock wilfully it is not incumbent on the company to invoke the provisions of that article as to discharging. Reid's excuse of the place being full of rock is a poor one, and he was paid \$1 a yard for rock and it was his business to separate it from the coal. The inspection of the box of rock taken from the car caused the Board to think that it was unfortunate that this rock was not at once placed on view so that all the miners might see it (McDonald, McNab and Hardman, the representatives of the men at the inspection, had not seen it before), as in that case it is doubtful if they would have felt justified in taking up Reid's fight to the extent they did. There can be no doubt that the men as a whole considered that the Company had broken its agreement (Article 18) when it discharged Reid for a first offence. Subsection (f) of Article 2 of the agreement provided that 'any breach of this agreement by any of the parties hereto is not to render this agreement void, but the agreement is to continue in full force and effect,' and the Company considered that the men in quitting work had committed an offence according to section 56 of the Act.

A copy of the application for the appointment of a Board of Conciliation was mailed by the men to the Company at Middlesboro on 19th March; this was forwarded to the office of the Company in Vancouver, but on receipt there was mislaid unread, and it was not until the department (on 17th April) sent a copy of the application to the Company that the matter was dealt with by the Company, and its reply is dated 28th April. The men knew nothing of the cause of this delay, and quite reasonably considered they were being ignored, and having this feeling and thinking that the agreement they had just entered into had been broken by the Company, they quit work. Under the circumstances the Board did not feel justified in saying anything about any offence against the provisions of the Act having been committed.



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3. THE CASE OF GEORGE MARTINOVITCH.—Articles 7 and 8 of the agreement were as follows:—

ARTICLE 7. THE RIGHT TO HIRE AND DISCHARGE.—The management of the mine and the direction of the working forces are vested exclusively in the Company, and the U. M. W. of A. shall not abridge this right. It is not the intention of this provision to encourage the discharge of employees, or the refusal of employment to applicants because of personal prejudice or activity in matters affecting the U. M. W. of A.

ARTICLE 8. ABSENCE FROM WORK.—When any employee absents himself from his work for a period of over two days (unless through sickness or by first having arranged with the pit boss), he may be discharged. Any employee whose absence would cause any stoppage of work must, prior to absenting himself, arrange for such absence, otherwise he may be discharged.

This man had been discharged by the mine manager who succeeded Gray, but as this was unknown to Gray, he engaged him as a labourer, but the other Servians objected to him and would not have him back with them loading cars. He got hurt and was unable to work for some time, and on his recovery the manager would not take him back. When asked how he got hurt, he said he was shooting rabbits and fell into a brush pile, and in falling his arm came in contact with a razor he had in his pocket and he received some bad cuts. This to the Board seemed a lame story, and from the manner in which the men in the hall took it, it was evidently not the truth; that he was in some sort of fight would likely be nearer the truth.

Grievances 4, 5, 6 and 7 have been dealt with in the report, dated May 26, as in respect to them the Board was unanimous.

There had recently been a change in the management, James Gray having taken the place of Alexander Faulds, and the new manager's new way of having things done seemed to cause some friction, and there was a strong antipathy on the part of the men against Gray. The men had a feeling that he was bringing in new men and giving them the good positions, and the fact that some of the new men were his relatives added to their feeling of resentment. It is only natural and in some cases necessary for a new manager to make changes and to appoint to some positions of trust under him men with whose work he is acquainted, but to bring in relatives without creating discontent is well nigh impossible.

From an inspection of the buildings around the mines and the facilities afforded for the convenience and accommodation of the men—boarding houses, wash houses, &c., it appeared that the Company had done very well.

The Board regrets that its efforts to settle the trouble were unsuccessful, and although it at one time had hopes that some arrangement might be come to whereby Hardman—whose offence was caused by carelessness or laziness, and lacked the design and purpose present in the case of Reid—might be reinstated, still it does not feel that it would be justified in going the length of recommending that he be reinstated.

At the sitting in Vancouver a resolution passed at a mass meeting of the Middlesboro miners held on May 21 was filed with the Board. This resolution was one agreeing to be bound by the decision of Judge Lampman, the Chairman. An adjournment was taken to get the Company's decision, which was against the proposition.

The minutes of evidence and the exhibits produced at the hearing accompany this report.

All of which is respectfully submitted.

(Signed) P. S. LAMPMAN,  
Chairman.  
THOS. KIDDIE.



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## MINORITY REPORT.

The text of a minority report, bearing the signature of Mr. Thomas Charles Brooks, member of the Board, appointed on the recommendation of the employees, was received in the Department on June 11, as follows:—

*Re Nicola Valley Dispute.*

Merrit, B.C., May 29, 1909.

THE MINISTER OF LABOUR.  
Ottawa.

Honourable Sir,—In forwarding to you my report, which is a minority one, I have to state that I am myself disappointed over the fact that no possible settlement could be reached in this matter; at the same time I can only, on behalf of the employees, refer you to the fact that prior to the decision of the Board at Vancouver, a resolution was placed in Judge Lampman's hands to the effect that 'the employees were willing to be bound by Judge Lampman's decision.' This was again refused by the representative of the Company, Mr. Kiddie, the Company instructing him that they would be bound by no decision which left chances for a settlement impossible.

Over the decision I am still somewhat confused, for notwithstanding the fact that Judge Lampman, during the sittings of the Board recommended that James Hardman be reinstated, and William Reid be discharged, his decision eventually is that the Company were justified in discharging him, and that there was no discrimination.

In the face of this also there is a written statement, signed by two witnesses, from the man Lambert, stating that he had fired the shot, and was sorry for the wrong he had done Hardman, besides two sworn affidavits from men who were working all the shift with Hardman, to the effect that Hardman did not fire that shot; if there was no discrimination why was Hardman picked out, as he was from the rest, and was the only one discharged, when five men in all were working in that particular place where the shot was fired? Are not the men compelled to think that Hardman was discriminated against, being that there had been a little misunderstanding between him and the Mine Superintendent a very little time before that? On the other hand, there is absolutely no sign whatever in the evidence put up by the Company to show that Hardman was guilty of firing that shot, and upon those grounds, I consider that I am fully justified in opposing the decision rendered by Judge Lampman at Vancouver.

*Re the case of William Reid*, who was discharged for first offence of dirty coal, evidence given showing that he was working in an abnormal place; the Company themselves states this, and being that there is a dockage clause in the agreement drawn up between the Company and the employees, which states that there shall be in excess of 200 lbs. of rock before first offence, is sufficient to say that the Company are not prepared to live up to their agreement on any of its weak places; at the same time, I would refrain from encouraging any one to take advantage of a clause of this nature, and will readily agree that if it had been proven that Reid deliberately loaded this rock for the purpose of taking advantage of that clause, the Company would have been encouraged by the organization to have this man discharged, after his case had been investigated, but being this was the first offence of any kind, and the possible chances there are in this mine for the rock to fall from the roof into his car, I think a less severe punishment should have been given for the first time; also considering this was the first case of dockage under the agreement, which has been in force since March 1, 1909, which distinctly shows the men do not wish to impose on the weak parts of the agreement, to the detriment of the Company is sufficient to convince me that this was not done with malicious intent.



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*Re case of Geo. Martinovitch:* I can only say that the Company again ignore living up to Article 8 of the agreement, which covers this man's case entirely.

The other cases referred to the Board for adjustment were unanimously dealt with us, which I trust will be accepted satisfactorily by you.

Taking the dispute as a whole, Judge Lampman considered the men (or employees) were not open to punishment for ceasing work at the time they did, and ruled it out when the Company appealed for this to be done; therefore he must have had just cause to think they were justified in doing so. Speaking for myself, I do not want to encourage or see the laws of our country violated at any time by any one; at the same time, I have to admit that the men had gone thirty days from the time their application was made, and had been told by the officials of the Company that they would get no Conciliation Board, which went to show they would cause delay, if possible; and when questioned on the reason for stating to the Department that they had not received a copy of the application, which was registered to them on March 19, the only defence put up was that the application was pinned at the back of other correspondence forwarded from here, and had not been read by the secretary in the general office. Does this look feasible?

In conclusion, Sir, I have to state that unfortunately I am forced to think that an attempt has been made to bring discredit on 'the Industrial Disputes Investigation Act,' from none other than the opposition party, who frankly state that no law can stop the corporations from discharging a man or men if they wish to do so; and being that this is directly against the laws of the labour organization of the men to do so, without a sufficient and reasonable cause for so doing, nothing but friction can be expected by such a statement or decision.

I am, sir, your truly,

(Signed) T. CHAS. BROOKE.



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**V.—APPLICATION FROM EMPLOYEES OF THE WINNIPEG ELECTRIC RAILWAY COMPANY, WINNIPEG, MAN.—BOARD ESTABLISHED—STRIKE AVERTED.**

*Application received.*—April 20, 1909.

*Parties concerned.*—Winnipeg Electric Railway Company, Winnipeg, Man., and employees.

*Applicants.*—Employees.

*Nature of industry concerned.*—Street railway.

*Nature of dispute.*—Wages and conditions of labour.

*Date of constitution of Board.*—May 10, 1909.

*Membership of the Board.*—Rev. Dr. C. W. Gordon, Winnipeg, Man., Chairman, appointed by the Minister in the absence of any joint recommendation from the other members of the Board; Mr. W. J. Christie, Winnipeg, Man., appointed on the recommendation of the employing Company; and Mr. J. G. O'Donoghue, Toronto, Ont., appointed on the recommendation of the employees.

*Report received.*—June 1, 1909.

*Result of inquiry.*—Two years' agreement concluded on all points, strike being thereby averted.

The Minister received, at the end of May, the report of the Board established in the case of the dispute between the Winnipeg Electric Railway Company and its employees. The dispute in question related to the reduction of hours of labour, increase of wages and to working conditions as set forth in a memorandum which accompanied the employees' application. It was stated that a duly elected committee of the employees had brought this demand before the management of the Company on several occasions and also before the Board of Directors, but that the Company had refused to make 'any reasonable concessions, so all attempts at adjustment having failed a mass meeting of the men was held on the 12th of April, 1909, in which the employees rejected the propositions of the Company and by unanimous vote demanded an arbitration of the matters in dispute.'

In the application of Messrs. James Potter and T. F. Robbins, for the establishment of a Board of Conciliation and Investigation in this matter, it was stated that the differences in question affected directly 500 and indirectly 100 persons.

Mr. J. G. O'Donoghue, Toronto, was appointed a member of the Board on the recommendation of the employees. Mr. W. J. Christie, Winnipeg, was appointed second member of the Board on the recommendation of the Company. In the absence of any joint recommendation from these two members of the Board, the Board was completed by the appointment by the Minister of Rev. C. W. Gordon, D.D., Winnipeg, as Chairman.

The sittings of the Board were held in Winnipeg, and resulted in a report signed by all three members. The award stated that 'the points at issue were without much difficulty narrowed down to the questions of hours and wages. To these matters your Board gave its very best attention, and after full investigation and negotiations with both parties, your Board is happy to report its unanimous agreement upon the points in dispute.'

In a schedule attached to the report of the Board the proper officials of the Company were called upon to re-arrange the schedule of all the regular runs on or before



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July 1, to conform as nearly as possible to a nine-hour day instead of the present ten-hour day, and the Board recommended that it should be the privilege of conductors and motormen to elect a ten-hour day should they so desire, and that it should be distinctly understood that neither by the Company nor by the men would there be any discrimination against any motorman or conductor for his action in this regard. In clause 10 of the schedule provision was made for a scale of wages increasing from 21c. per hour for the first six months of service to 27c. per hour for the fourth and succeeding years of continuous service.

The Department was informed, on June 10, that the employees had accepted the Board's findings as a basis of settlement of the matters in dispute, and that an agreement had been reached in accordance with the findings.

### REPORT OF BOARD.

The text of the findings of the Board is as follows:—

Winnipeg, Man., May 20, 1909

TO THE HONOURABLE

THE MINISTER OF LABOUR.

In the matter of the dispute between the Employees of the Winnipeg Railway Company and the Winnipeg Electric Railway Company, your Board of Conciliation respectfully beg to report as follows:—

The Board began its sitting on the 11th of May in the Company's board room, which was courteously placed at the disposal of the Board, and completed its work on the 29th May, 1909.

The negotiations were greatly facilitated by the spirit of fairness shown by both parties and their entire willingness to assist the Board in its investigations. The Board was pleased to find that the best of feeling prevails between the Company and its men. There is on the Company's part an evident desire to provide in every way possible for the safety and comfort of its employees, the cars being equipped with all the most modern safety appliances and the vestibules electrically heated and provided with glass fronts.

It also emerged that the men making complaint were always accorded a courteous hearing by the management, and that an attempt was made to meet their demand.

The conductors and motormen on their part evidently showed a willingness to co-operate with the Company to the best of their ability in rendering an efficient, prompt and courteous service to the public. The Board is much gratified to discover that by neither the Company nor its men is there the slightest tendency to discriminate against any employees on the score of belonging to, or not belonging to a labour organization.

The points at issue were without much difficulty narrowed down to the questions of hours and wages. To these matters your Board gave its very best attention, and after full investigation and negotiations with both parties, your Board is happy to report its unanimous agreement upon the points in dispute upon the basis of the following schedule:

(Signed)

CHARLES W. GORDON,  
Chairman.

W. J. CHRISTIE,  
For the Company.

J. G. O'DONOGHUE,  
For the Men.



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*Working Conditions for Motormen and Conductors of the Winnipeg Electric Railway Company.*

Clause 1.—Neither the Company nor its men will discriminate against any motorman or conductor by reason of his being or not being a member of any Street Railway Employees' Union.

Clause 2.—All cars will be cleaned and fully equipped with proper appliances for operating the car before leaving the sheds for their respective runs; the motorman and conductor of each car, before leaving for the run, must see that the car is fully equipped with proper appliances, and if anything is found to be lacking, must report at once to an inspector or foreman. Conductors and motormen must also keep the vestibules clean while on their respective runs, and report any defects or anything wrong with the car at the end of the run.

Clause 3.—Seniority, subject to efficiency, will be given preference in all regular runs posted up for selection, and each motorman and conductor will have the opportunity of selecting his run in accordance with his age in the service of the company; all runs to be posted for motormen and conductors to make their selections as to the run they may desire at least every four months.

Clause 4.—Motormen and conductors will be paid their wages semi-monthly, and will be paid on the fifteenth and last day of each month, if possible. If, however, the above dates should fall on Sunday or a holiday, payment will be made the day previous if proper arrangements can be made to do so.

Clause 5.—Conductors coming within the scope of this agreement will be supplied with tickets and change to the amount of twenty-five dollars, after signing the Company's form of agreement for the return of the money when called upon to do so.

Clause 6.—Free transportation will be granted to all motormen and conductors on all city lines of the Winnipeg Electric Railway Company when in uniform or wearing a badge furnished by the Company. Reasonable free transportation at such times and in such manner as the manager may think best will be granted to all motormen and conductors on all outside lines controlled by the Company upon application for same being made at the General Offices.

Clause 7.—The proper officials of the Company will be willing to treat at all times with its motormen and conductors or any committee of them on any subject in the interests of the Company or its motormen and conductors.

Clause 8.—All reasonable complaints or grievances will be heard by the proper officials of the Company, and any motorman or conductor or committee failing to get satisfaction from the officials of the Company have the right to appeal at any reasonable time to the Board of Directors.

Clause 9.—All motormen and conductors required to work overtime on the following public holidays, namely: New Year's Day, 24th of May, Dominion Day, Thanksgiving Day, Civic Holiday, Labour Day and Christmas Day will be paid at the rate of time and one-half for such overtime. Exhibition time included.

Clause 10.—On, from and after May 1, 1909, the following scale of wages be in force:—

Twenty-one cents per hour for the first six months.

Twenty-three cents per hour for the second six months.

Twenty-four cents per hour for the second year.

Twenty-six and one-half cents per hour for the third year.

Twenty-seven cents per hour for the fourth and succeeding years' continuous service with the company.

Clause 11.—The proper officials of the Company will re-arrange the schedule of all the regular runs on or before July 1 to conform as nearly as possible to a nine-hour day instead of the present ten-hour basis. Whereupon it shall be the privilege



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of any conductor or motorman to elect a ten-hour day should he so desire. It is distinctly understood that neither by the Company or by the men will there be any discrimination against any motorman or conductor for his action in this regard. Having due regard to all the conditions of the service, the manager undertakes that the schedules will be so arranged that the hours of work on the cars will be put in within the least number of hours as, in his opinion, will be considered practicable and consistent with the service performed by the Company.

Clause 12.—All motormen and conductors working Sundays to receive ten hours' pay for eight and one-half hours' work; overtime to be paid on the basis of ten hours' pay for eight and one-half hours' work; eight and one-half hours' work to constitute a day's work on Sunday.

Clause 13.—As far as practicable no motorman will be compelled to leave his regular run to take special runs.

Clause 14.—All front vestibules on closed cars will be fitted with curtains, or in such other manner as may be thought best, to darken the front vestibule at night. All open cars will be fitted with glass fronts for motormen.

Clause 15.—No conductor at any time will be required to operate more than one car, and no motor car pull more than one trailer, as far as practicable in the discretion of the management.

Clause 16.—Reasonable leave of absence will be granted to all motormen and conductors when their services can be spared. Any motorman or conductor taking other employment during leave of absence will be considered to have terminated his services with the Company. Any service, however, that a conductor or motorman may be called upon to render in a representative capacity on behalf of his fellow motormen and conductors shall not be considered as covered by the word 'employment' as used in this clause; such absence, however, not to exceed one year.

Clause 17.—That when any motorman or conductor has been suspended or discharged from the service of the Company, and after investigation has been found not guilty of sufficient cause to warrant such discharge or suspension, he shall be reinstated and paid for all time lost.

Clause 18.—No motorman will be compelled to take cars from the barns without doors, or with broken vestibules or windows, between October 15 and April 15.

Clause 19.—All motormen's vestibules shall be fitted with heaters and made as tight and comfortable as possible.

Clause 20.—Stools will be furnished for the motormen's use on such routes or parts of routes as the management may think proper.

Clause 21.—Any motorman or conductor who has been six months or more in the Company's service and leaving of his own accord, shall upon application for same be furnished with reference as to length of service, character and ability while in the Company's employ. Regular printed forms to be used for such purpose.

Clause 22.—Each conductor will be furnished once every two years with a uniform pea-jacket, and each motorman will be furnished once every two years with a uniform overcoat; and any motorman or conductor leaving the service of the company from any cause within six months after receiving his pea-jacket or overcoat will be charged the amount actually advanced by the Company.

Clause 23.—The Company will pay one-half the cost of first uniform; all uniforms thereafter will be furnished free, and a suitable cap will also be provided. Winter caps will be issued not later than November 1, and summer caps not later than May 1.

Clause 24.—The conductors operating on outlying lines will be allowed all necessary time over ten minutes when required to and from the general offices; and any



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motorman required by the Company to come to the general offices shall receive the same consideration.

Clause 25.—The above conditions to remain in force from May 1, 1909, to May 1, 1911.

(Sgd.) CHARLES W. GORDON,  
*Chairman.*

W. J. CHRISTIE,  
*For the Company.*

J. G. O'DONOGHUE,  
*For the Men.*



**VI.—APPLICATION FROM EMPLOYEES OF THE NOVA SCOTIA STEEL AND COAL COMPANY, LIMITED, SYDNEY MINES N.S., MEMBERS OF THE UNITED MINE WORKERS OF AMERICA—BOARD ESTABLISHED—NO CESSATION OF WORK.**

*Application received.*—April 26, 1909.

*Parties concerned.*—Nova Scotia Steel and Coal Company, Limited, Sydney Mines, C.B., and employees, members of the United Mine Workers of America.

*Applicants.*—Employees.

*Nature of industry concerned.*—Coal mining.

*Nature of dispute.*—Wages, conditions of labour, and demand for recognition of the U. M. W. A.

*Number of employees affected.*—340.

*Date of constitution of Board.*—June 7, 1909.

*Membership of Board.*—His Honour Judge J. P. Chipman, Kentville, N.S., chairman, appointed by the Minister in the absence of any joint recommendation from the other members of the Board; His Honour Judge A. McGillvray, Antigonish, N.S., appointed by the Minister in the absence of any recommendation from the employing Company; and Mr. Daniel McDougall, Glace Bay, C.B., appointed on the recommendation of the employees.

*Report received.*—July 23, 1909.

*Result of inquiry.*—The report of the Board found against the claims of the employees, whilst the minority report by Mr. Daniel McDougall supported their claims. There was, however, no cessation of work.

The Minister received on July 23 the report of the Board of Conciliation and Investigation to which was referred the dispute between the Nova Scotia Steel and Coal Company, Limited, and members of the Florence Local 1746 of the United Mine Workers of America, said union being one of the locals of the district of Nova Scotia, No. 26. The Board consisted of His Honour Judge Chipman, of Kentville, N.S., chairman; His Honour Judge McGillvray, of Antigonish, N.S., appointed for the Company, and Mr. Daniel McDougall, of Glace Bay, N.S., appointed for the employees. Judge McGillvray was appointed by the Minister of Labour, the Company having declined to make any recommendation. The report of the Board was signed by Judge Chipman, chairman, and Judge McGillvray, while a minority report was also received in the department signed by Mr. D. McDougall. The first session of the Board was held at Florence, N.S., on June 23. The employees were represented before the Board by Joseph Belshaw of the District Board of District No. 26 of the U. M. W. A., and by James Knowles, president of the Florence Union, and James B. McLachlin, district secretary-treasurer of the U. M. W. A. The Company was represented by Mr. Thomas J. Brown, general superintendent. Neither party was represented by counsel.

The subjects in dispute were as follows, namely: (1) An increase of wages consequent upon the introduction of closed lights (safety lamps) in lieu of open lights, and (2) that since the Company recognize the Provincial Workmen's Association they should also recognize the union of the United Mine Workers of America, and should grant no preference to one class of their employees.



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The Board pointed out that while the application in the present matter was before the Department, the Company adjusted with the Provincial Workmen's Association an increase of wages to the extent of 2 cents per ton in the following proportion: Machine runners,  $\frac{1}{2}$ c.; shot firers,  $\frac{1}{2}$ c.; loaders, 1c., and this allowance or increase was added to the wage bill for the month of May last, and paid to each of their employees in these classes, entirely irrespective of their membership in the P. W. A. or U. M. W. A. 'The demand made by the employees,' added the Board, 'asked for an increase of 2c. for shot firers and machine runners and 5c. for loaders, equivalent to 9c. per ton.'

On the general question of closed lights the Board found that the introduction of closed lights had undoubtedly had the effect of causing more inconvenience and a greater disadvantage in mining than other lights, but, on the other hand, the workmen who were examined all frankly admitted that both life and property were thereby rendered safer and more secure. 'Surely,' the Board commented, 'if such a result is attained, the workmen should be willing to accept a reasonable increase in their wages and allow the improved condition of the mine thereby so signally safeguarded, both as to the preservation of their lives and the property in which they procure their livelihood, to weigh in the scale and counterbalance the difference between the extra amount granted by the Company and the demand therein made.'

After quoting elaborate statistics prepared by the Company as part of its case with respect to wages paid to workmen in the classes affected by the change, the Board continued as follows: 'Such being the case the Board with due regard to all the conditions and circumstances appearing from the evidence is of the opinion that it cannot conscientiously recommend and decide otherwise than that the Company has met the men at least half way in the offer it has made for the inconvenience and loss occasioned by the installation of safety lamps in the colliery in question.'

## RECOGNITION OF THE U. M. W. A.

On the general question of the recognition of the United Mine Workers of America, the Board quoted as follows: 'The U. M. W. A. is a foreign corporation, the majority of its members residing in the United States, as also do their executive officers. Under its constitution it is quite possible that the members of the societies of the province of Nova Scotia might be called out on strike to assist the American members of the society, which would be a very great detriment to the operators of this country and the province generally. If it should be considered in the interests of the whole body of the U. M. W. to proclaim a strike in Cape Breton, either to assist the U. M. W. or the operators in America who are placing coal in the Canadian markets in direct competition with the mining industries in this province, the result would be disastrous, and we believe this power is too great to place in the hands of any foreign body as it practically means the control of our mining industries. Our Company look upon the society with a great deal of apprehension and fear, as it is quite natural to assume that a society governed and controlled in the United States will have its first interests in that country. The constitution of the U. M. W. states that all employees about the colliery except the superintendent and manager of the mine, shall be members of the U. M. W. This Company will not agree to the officers of the collieries being members of this or any other labour society.'

The Board then commented thus on the situation:—

'These reasons, coupled with the facts and circumstances set forth in the evidence and exhibits, seem to be sufficiently cogent for a finding in favour of the Company, and such is our mature and deliberate opinion.

'Both the Company and employees have a right in this country to settle their own business, and in such a dispute as we are now investigating it is our duty, fail-



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ing an agreement, to make such recommendations to the Department as might, if accepted, bring about a settlement.

The growing sentiment in this country is strongly in favour of managing our industrial and commercial interests without being subject to the dictation or control of our neighbours across the line, and now would seem to be an opportune time for a movement to be made for the establishment of a labour union for Canada alone, which shall be incorporated on the lines best calculated to create harmony and peace, and the prevention of strikes, so suicidal and detrimental to both employer and employees, and the province of Nova Scotia as well.

In the meantime, the two societies now warring with each other should get together and endeavour to work out the problems before them in a spirit of loyalty to the country in which they live and are earning their daily bread.

We cannot close our report without referring to the good feeling which exists between the general superintendent of the Company and its employees. The witnesses testified truthfully and candidly, and the representatives conducted their case with fairness, ability and good judgment.

Mr. Brown had good reason to compliment both men and representatives, and the Board is sure that the feelings he entertains for them are mutual and reciprocal. Few men can have so careful, painstaking and competent an employer, and the interests of his men should be, and we believe are, safe in his hands.

Mr. Daniel McDougall, member of the Board appointed on the recommendation of the employees, in a minority report observed that 'from the evidence adduced, I cannot say that 2 cents per ton increase which the Company had given its men was sufficient for the changed conditions and the amount of inconvenience to which the men were subjected.' In his judgment, therefore, the demands of the men were not unjustified. He is also of opinion that the increase should be 4 cents per ton, as follows: Machine runner, 1 cent; shot firer, 1 cent; loader, 2 cents. The evidence, he thinks, went to show that men, under the present circumstances, cannot earn as much as formerly on account of the insufficiency of the light, and that they must work longer hours under less favourable conditions than before prevailed. 'Another matter of great importance,' he adds, 'is that the eyesight of the miner using the closed light becomes affected from the overstrain on the optic nerve, and that in time the eye is completely crippled.'

On the question of the recognition of the union, Mr. McDougall stated:—

Regarding recognition for the United Mine Workers of America, that matter has assumed such a character in Nova Scotia, both in numbers and public sympathy, that I feel the Board cannot do otherwise but recommend the Company to give recognition to this union, as far as committees to wait upon them and arrange meetings to adjust any trouble or grievance that may arise between the men and the Company, and also that a pit committee from the local should be given the power to make visits to the mine for the purpose of examination, as provided for in the Coal Mines Regulation Act, and many other matters that become necessary for the protection of life and property.

I wish to point out one very serious occurrence in one of the collieries owned by this Company that might have been the cause of great destruction, and the U.M.W. committee could not get an audience with the Company to have the matter adjusted, and they accordingly had to go to the Government Inspector of Mines to have the matter investigated. Under that investigation it was clearly shown that practices were in operation that made it hazardous to the life of the miners and endangered the Company's property. This, therefore, goes to show that the Company, failing to treat with our organization, puts the miners who belong to this union in such a position as to make it impossible for them to approach the Company in their own interests,



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and we contend that having at this particular place 95 per cent of the miners in our society, it is very unfair to treat with the P. W. A. who only represent five per cent of miners at Florence and not treat with the United Mine Workers of America.

'Their chief aim being to educate the working class of all countries, we claim that the United Mine Workers are not an American organization, and that the operators of this country, when the people say so, should meet the union, more particularly when 90 per cent of their workmen are members of the organization, Canadian or American, from the fact, first, that it is international, and second, that it is already successfully operating in British Columbia and Alberta, and that by having one great coal mining organization of an international character the time will be hastened when industrial peace shall prevail and misunderstandings between employers and employees put right.

The Department was not informed whether the findings of the Board were acceptable to the parties concerned, but no cessation of work occurred in the operation of the mine.

## REPORT OF BOARD.

The text of the findings of the Board is as follows:—

In the matter of the 'Industrial Disputes Act, 1907,' and of a dispute between the Nova Scotia Steel and Coal Company, Ltd., and members of the Florence local 1746 of the United Mine Workers of America, said local being one of the locals of the District of Nova Scotia, No. 26.

The Board, composed of Judge McGillivray, of Antigonish, Mr. Daniel McDougall of Glace Bay, and Judge Chipman, of Kentville, N.S., Chairman, pursuant to notice held its first session on Wednesday, the 23rd day of June, 1909, in the Workmen's Hall, Florence; this locality (No. 3 colliery of the said Company) being the locus within which the subject matter of the present proceeding arose.

Before entering upon the duties pertaining to the reference, the members of the Board took the prescribed oath of office.

The employees were represented by Joseph Belshaw, district board member of District No. 26 of the United Mine Workers of America.

James Knowles, president of said Florence local, and James B. McLaughlin, district secretary-treasurer of the U. M. W.

The Company was not represented. An application was then made for the issue of a subpoena for Thomas J. Brown, general superintendent of the Company. This application was immediately granted, and on advice of the action of the Board in this regard he forthwith advised the Board that he would attend, and thereafter was present and represented the Company.

Neither party desired the presence of counsel and none attended.

The Board sat at Florence on the 23rd, 24th and 25th of June, and on this last named date the evidence tendered on behalf of the employees was completed.

In order to obtain a more intelligent and practical knowledge of the work, which the three classes of workmen, viz.: the machine runners, shot firers and loaders actually performed underground, it was decided by the Board and acquiesced in by the parties hereto, that a visit to the mine should be made.

In due time the necessary preparations were made, and the descent down the slope, a distance of over 5,000 feet, was successfully accomplished. Every assistance was rendered by the officials of the Company and Mr. Belshaw, and the Board was thus privileged to witness an ocular demonstration of the work these men do in the due performance of their duties.

Prior to going down the mine, Mr. Brown, on behalf of the Company, applied for an adjournment until Monday, the 28th of June, for the presentation of the Company's



case. This application was favourably entertained by the Board, and on this date the Company's case was finally closed, and the Board announced that further proceedings would be postponed until Wednesday, July the 14th prox., when the Board would meet at Halifax to deliberate on the evidence and formulate its report for transmission to the Department.

In passing we may say that the Board held two sessions on Saturday, the 26th June, at Glace Bay, examining and considering the evidence then given by the employees.

After sessions at Halifax on the 14th, 15th and 16th of July, weighing and deliberating upon the evidence submitted and in the preparation of this report, the Board submits the following findings:—

Two issues only are involved in this dispute, *i.e.*:

- (a) An increase of wages, consequent upon the introduction of closed lights (safety lamps) in lieu of open lights, and
- (b) That since the Company recognize the Provincial Workmen's Association they should also recognize the union of the United Mine Workers of America and should grant no preference to one class of their employees.

While the application for this Board was being considered, but before it was granted, the Company adjusted with the P. W. A. an increase of wages to the extent of two cents per ton in the following proportions: Machine runners,  $\frac{1}{2}$ c.; shot firers,  $\frac{1}{2}$ c.; loaders, 1c., and this allowance or increase was added to the wage bill for the month of May last and paid to every employee in these classes, entirely irrespective of their membership in the P. W. A. or U. M. W.

The demand made by the employees asked for an increase of two cents for shot firers and machine runners and five cents for loaders—equivalent to nine cents per ton.

The mine was shown to be well equipped and in splendid condition; in fact, all of the witnesses who were asked in reference thereto admitted that the air and ventilation therein were better than in any other mine in which they had previously worked.

The introduction of closed lights has doubtless had the effect of causing more inconvenience and a greater disadvantage in mining than other lights, but, on the other hand, the workmen who were examined all frankly admitted that both life and property were thereby rendered safer and more secure. Surely if such a result is attained the workmen should be willing to accept a reasonable increase in their wages, and allow the improved condition of the mine thereby so signally safeguarded, both as to the preservation of their lives and the property in which they procure their livelihood, to weigh in the scale and counter balance the difference between the extra amount granted by the Company and the demand herein made.

The Company, as part of its case, prepared for and handed to the Board tabulated statements of the wages earned and paid to the workmen in the classes mentioned, and from these it appears that loaders received the following average wages per day from September, 1908, to May, 1909, inclusive. (Sixty-two men are classified):—

LOADERS.

1908—September. . . . .	\$2 16
October. . . . .	2 22
November. . . . .	2 24
December. . . . .	2 41
1909—January. . . . .	2 32
February. . . . .	2 24
March. . . . .	2 09
April. . . . .	2 18
May. . . . .	2 22



MACHINE RUNNERS.

1908—September..	\$1 46
October..	4 29
November..	4 40
December..	4 35
1909—January..	4 10
February..	4 00
March..	3 59
April..	3 67
May..	3 83

(Twenty-six men classified.)

SHOT FIRERS.

1908—September..	\$1 44
October..	4 38
November..	4 40
December..	4 38
1909—January..	4 16
February..	4 01
March..	3 90
April..	3 79
May..	4 08

The average wages per day for the months of March, April and May are shown to be:—

Shot firers..	\$3 90
Machine runners..	3 70
Loaders..	2 13

And the daily average production:—

Shot firers..	29 tons.
Machine runners..	27 “
Loaders..	10 “

The increase granted at ½c. per ton amounts to 14½c., 13½c. and 10c. for the workmen in the order named, and equal to at least \$25 to \$40 per year and in the same order the demand or claim made would be 58c., 54c. and 50c. per day.  
Other tables will be found among the exhibits and in order to place before the Board the possibilities of a wage earner the wages of six of the highest men (same classes) are given for the months of March, April and May.



Shot Firers

Days.		Total Wages.	Average.
		\$ cts.	\$ cts.
March	26.....	118 31	4 55
"	25.....	100 60	4 02
"	18.....	83 09	4 61
"	23.....	101 33	4 40
"	26.....	117 88	4 53
"	20.....	100 01	5 00
April	23.....	94 31	4 01
"	21.....	87 85	4 68
"	15.....	70 30	4 68
"	21.....	92 51	4 40
"	23.....	99 00	4 30
"	19.....	81 19	4 27
May	19.....	93 42	4 92
"	17.....	82 65	4 86
"	15.....	68 08	4 54
"	17.....	74 69	4 39
"	19.....	97 33	5 12
"	12.....	52 99	4 42

Machine Runners.

March	13.....	58 01	4 46
"	27.....	163 57	6 06
"	23.....	108 71	4 73
"	22.....	94 08	4 27
"	22.....	103 57	4 61
"	21.....	91 95	4 38
April	20.....	84 65	4 23
"	24.....	174 62	6 15
"	19.....	92 92	4 89
"	20.....	99 25	4 96
"	19.....	86 24	4 54
"	19.....	104 81	5 51
May	17.....	82 57	4 86
"	19.....	111 73	5 88
"	15.....	72 03	4 80
"	18.....	85 68	4 76
"	15.....	84 84	5 65
"	13.....	81 19	6 24

Loaders.

March	22.....	72 36	3 29
"	26.....	73 61	2 83
"	14.....	38 36	2 74
"	11.....	30 04	2 73
"	14.....	28 80	2 77
"	21.....	75 52	3 59
April	17.....	65 88	3 87
"	21.....	61 07	2 91
"	17.....	45 08	2 65
"	14.....	33 17	2 37
"	18.....	59 01	3 28
"	17.....	63 79	3 75
May	15.....	45 36	3 02
"	15.....	41 84	2 79
"	13.....	25 14	1 93
"	12.....	20 36	1 69
"	16.....	34 10	2 13
"	11.....	30 98	2 82

The average hours worked per day are considerably less, in the classes above designated, than nine hours.



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The introduction of safety lamps, which were first brought into commission on the 8th day of March last (1909) cost the Company \$2,000 and their maintenance amounts to \$200 per month.

The increase granted has not been added to the wages for May. This increase for the year figures up \$6,000 and the claim, if granted, would total no less a sum than \$27,000.

The representatives when pressed to make an amicable settlement intimated that they would prefer to leave the adjustment of the wages as well as other matters for the Board to deal with.

Such being the case, the Board, with a due regard to all the conditions and circumstances appearing from the evidence, is of the opinion that it cannot conscientiously recommend and decide otherwise than that the Company has met the men at least half way in the offer it has made for the inconvenience and loss occasioned by the installation of safety lamps in the colliery in question.

The Board desires to thank the witnesses and representatives for courtesies extended and will entertain the hope that the finding now made will be acceptable to them and all concerned.

What shall be said with regard to the second issue and which the Board believes to be the crucial issue for consideration.

The U. M. W. earnestly desire recognition and the Company just as strenuously and persistently refuse to comply therewith. It is certainly a vexed question and we fear that anything we can say or do will not effect the desired object.

Employees who belong to the U. M. W. claim that they should have the right, whenever they have a grievance requiring redress, to approach the Company through a committee appointed for this purpose by their union, and more particularly in the presentation of a grievance which may directly or indirectly endanger the lives of some of their members.

Much of the evidence given in this regard had reference to practices in the mine, which the witnesses considered should be remedied or abolished.

'The Coal Mines Regulation Act' (which is very comprehensive in its terms) provides ways and means by which any violation of the Act may be inquired into and rectified.

The general superintendent, Mr. Thos. J. Brown, also has given it to be distinctly understood, and has enjoined upon the men, that he is always ready and willing to receive and confer with the employees or employee who desire to approach him in reference to any grievance that he or they may think should be brought to his notice, providing the interview is sought by them as individuals, and not as representatives of the U. M. W.

It would therefore seem that the objections or reasons urged by the employees are fairly well met and that it becomes more a matter of sentiment with them than otherwise when they are seeking recognition.

Mr. Brown, in his answer to the employees' claim for recognition, says:—

'Dealing with the second part of the matter before the Board, I would simply state the position that the Company takes in connection with the recognition of the society which is claiming recognition, and I am stating on behalf of the Company that while the Company had decided to recognize the P. W. A., there has been no case that we know of where any discrimination or harshness has been shown towards the men who have thrown in their lot with the U. M. W., and the Company will find it impracticable to deal with two separate societies whose contentions and demands may be quite at variance with each other. In other words, the Company considers it impossible to serve two masters.

'The U. M. W. is a foreign corporation, the majority of its members residing in the United States, as also do their executive officers. Under its constitution, it is



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quite possible that the members of the societies of the Province of Nova Scotia might be called out on a strike to assist the American members of the society, which would be a very great detriment to the operators of this country and the Province generally. If it should be considered in the interests of the whole body of the U. M. W. to proclaim a strike in Cape Breton, either to assist the U. M. W. or the operators in America who are placing coal in the Canadian markets in direct competition with mining industries in this province, the result would be disastrous, and we believe this power is too great to place in the hands of any foreign body, as it practically means the control of our mining industries. Our Company look upon the society with a great deal of apprehension and fear, as it is quite natural to assume that a society governed and controlled in the United States will have its first interests in that country. The constitution of the U. M. W. states that all employees about the colliery except the superintendent and manager of the mine, shall be members of the U.M.W. This Company will not agree to the officers of the collieries being members of this or any other labour society.'

These reasons, coupled with the facts and circumstances set forth in the evidence and exhibits, seem to be sufficiently cogent for a finding in favour of the Company and such is our mature and deliberate opinion.

Both the Company and employees have the right in this country to settle their own business, and in such a dispute as we are now investigating it is our duty, failing an agreement, to make such recommendations to the Department as might, if accepted, bring about a settlement.

The growing sentiment in this country is strongly in favour of managing our industrial and commercial interests without being subject to the dictation or control of our neighbours across the line, and now would seem to be an opportune time for a movement to be made for the establishment of a labour union for Canada alone, which shall be incorporated on the lines best calculated to create harmony and peace, and the prevention of strikes, so suicidal and detrimental to both employer and employees, and the province of Nova Scotia as well.

In the meantime the two societies now warring with each other should get together and endeavour to work out the problems before them in a spirit of loyalty to the country in which they live and are earning their daily bread.

We cannot close our report without referring to the good feeling which exists between the general superintendent of the Company and its employees. The witnesses testified truthfully and candidly and the representatives conducted their case with fairness, ability and good judgment.

Mr. Brown had good reason to compliment both men and representatives, and the Board is sure that the feelings he entertains for them are mutual and reciprocal. Few men can have so careful, painstaking and competent an employer, and the interests of his men should be, and we believe are, safe in his hands.

Herewith will be found the exhibits tendered with the evidence.

All of which is respectfully submitted.

(Sgd.) J. P. CHIPMAN,  
Chairman.

A. MACGILLIVRAY,  
Member of Board.

THE HONOURABLE MACKENZIE KING,  
Minister of Labour,  
Ottawa.



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## MINORITY REPORT.

The text of the minority report in this matter is as follows:—

TO THE HONOURABLE

THE MINISTER OF LABOUR,  
Ottawa, Ont.

In the matter of the dispute between the employees of the Nova Scotia Steel and Coal Company and the Nova Scotia Steel and Coal Company, I beg leave to submit a minority report, as the Board could not come to a unanimous decision, and my report shall be as follows:—

Your Board met in its sessions at Florence, Sydney Mines, the seat of the dispute, and began its hearing on Tuesday, June 23, and continued its sitting until June 28. The final sitting was in Halifax on July 14-15, to render a decision of the evidence produced.

I feel pleased to state that the evidence produced by the witnesses was of a high character, and the negotiations were greatly assisted to finish speedily by the fairness of both parties, and their willingness to assist the Board in its investigations.

The Board also found the best of feeling existing between the men and the Company.

The question for the Board's consideration embraced an advance on rates on account of a change from open lights in the mine to closed lights. Your Board, to more fully qualify to take a fair-minded view of the situation, made a visit underground in the colliery affected, and show the conditions as they existed.

The other question submitted being that the United Mine Workers of America were not accorded the same treatment as the Provincial Workmen's Association.

In regard to those subjects, I must say first,—That upon the Board sitting and after the Board had been granted, the Company gave the men an advance of 2 cents per ton, as follows: Machine runners  $\frac{1}{2}$ -cent, shot firers  $\frac{1}{2}$ -cent, loaders 1 cent. This made it rather difficult for the Board, but the evidence was heard and gone into very fully, and I, as a member of the Board, and from the evidence produced, cannot say that 2 cents of an increase for the changed conditions and the amount of inconvenience to the men, is sufficient. I would, therefore, say that in my opinion the increase should be 4 cents, as follows: Machine runner 1 cent, shot firer 1 cent, loader 2 cents. I would further state that the demands made by the men, in my opinion, are not unjustified.

The evidence produced goes to show that men, under circumstances as now exist, cannot earn as much money as formerly, for the reason that it becomes so much more laborious to do their work on account of the insufficiency of the light produced by the lamp, and they must work longer hours, under less favourable conditions than before.

Another matter of great importance is that the eyesight of the miner using the closed light becomes affected from the overstrain on the optic nerve, and after a time the eye is completely crippled. This in itself is one great reason why the miner should receive more compensation.

I made those recommendations from the fact of my knowledge of the difference in change of conditions, and after a careful perusal of the evidence produced. I have come to the decision that no less than 4 cents per ton would in any way give the miners the difference they are entitled to on account of changed conditions.

Regarding recognition for the United Mine Workers of America, that matter has assumed such a character in Nova Scotia, both in number and public sympathy, that I feel the Board cannot do otherwise but recommend the Company to give recognition to this union, as far as committees to wait upon them and arrange meetings to adjust any trouble or grievance that may arise between the men and the Company,



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and also that a pit committee from the local should be given the power to make visits to the mine for the purpose of examination, as provided for in the Coal Mines Regulation Act, and many other matters that become necessary for the protection of life and property. .

I wish to point out one very serious occurrence in one of the collieries owned by this Company that might have been the cause of great destruction, and the U. M. W. committee could not get an audience with the Company to have the matter adjusted, and they accordingly had to go to the government inspector of mines to have the matter investigated. Under that investigation it was clearly shown that practices were in operation that made it hazardous to the life of the miners and endangered the Company's property. This, therefore, goes to show that the Company, failing to treat with our organization, puts the miners who belong to this union in such a position as to make it impossible for them to approach the Company in their own interests, and we contend that having at this particular place 95 per cent of the miners in our society it is very unfair to treat with the P. W. A. who only represent 5 per cent of miners at Florence and not treat with the United Mine Workers of America.

I wish to point out the fact that the objection to the United Mine Workers being an American organization, that the organization is just as much a Canadian organization. We repudiate that statement, and say that the organization is an international organization whose aim is to promote the welfare, advance the interests, bless the homes, and bring peace into the country where they locate. Their chief aim being to educate the working class of all countries, therefore, we claim that the United Mine Workers are not an American organization, and that the operators of this country, when the people say so, should meet the union, more particularly when 90 per cent of their workmen are members of the organization, Canadian or American, from the fact, first, that it is international, and, second, that it is already successfully operating in British Columbia and Alberta, and that by having one great coal mining organization of an international character the time will be hastened when industrial peace shall prevail and misunderstandings between employers and employees put right.

Trusting that the efforts of the Board may be successful to bring about peace and harmony.

I have the honour to be,

Your obedient servant,

(Sgd.) DAN McDOUGALL,

On behalf of the Employees. .



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VII.—APPLICATION FROM EMPLOYEES OF THE DOMINION TEXTILE COMPANY, MONTREAL, QUE.—BOARD ESTABLISHED—UNANIMOUS REPORT BY BOARD—STRIKE AVERTED.

*Application received.*—April 27, 1909.

*Parties concerned.*—Dominion Textile Company, Montreal, Que., and mule spinners in its employ.

*Applicants.*—Employees.

*Nature of industry concerned.*—Textile.

*Nature of dispute.*—Wages.

*Number of employees affected.*—Directly, 70; indirectly, 3,000.

*Date of constitution of Board.*—May 25, 1909.

*Membership of Board.*—Honourable Mr. Justice Thos. Fortin, Montreal, Que., Chairman, appointed on the recommendation of the other members of the Board; Mr. F. G. Daniels, Montmorency, Que., appointed on the recommendation of the employing Company, and Mr. A. A. Gibeault, Montreal, Que., appointed on the recommendation of the employees.

*Report received.*—May 25, 1909.

*Result of inquiry.*—Report of Board accepted by both parties to the dispute, a strike being thereby averted.

The Minister received on May 27 the report of the Board established in the case of the dispute between the Dominion Textile Company and certain of its employees in Montreal. In this report the grievances referred for investigation were stated to be; (1) to re-establish for the mule spinners the pay-list in force in April, 1908, from which a reduction had been made in May of the same year of from 10 to 25 per cent; (2) the doing away with what is called the 'black list.'

In the application of Messrs. F. Fafard and C. Donais, of Montreal, for the establishment of a Board it was stated that 70 men were directly affected, and that 1,600 men and 1,400 women were affected indirectly. The textile industry not being one of those to which the Industrial Disputes Act applies the Board was established by the mutual consent of the parties affected expressly as provided by section 63. Mr. Arthur A. Gibeault, of Montreal, was appointed on the recommendation of the employees, and Mr. F. G. Daniels, of Montmorency, on part of the Company. The Honourable Mr. Justice Fortin, of the Superior Court, Montreal, was appointed Chairman on the recommendation of Messrs. Daniels and Gibeault.

The report showed that on May 4, 1908, a reduction had been made in the salaries of the mule spinners and other employees of the Dominion Textile Company of 10 per cent and upwards, which led to a strike on the part of the operatives. The Board, in its review of the case, found that this strike was terminated on a promise by the Company that when trade conditions improved, wages would again be raised to the old schedule, and held that the question therefore was to determine whether there had been such an improvement in the conditions of this industry as would warrant the claim of the spinners. In the opinion of the Chairman of the Board and of Mr. Daniels, it was proven that there had been no improvement in respect of profits during the year, but that on the contrary there had been a continued depression resulting in a diminution of the earnings in the Montreal mills, and that 'the Com-



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pany is justified in refusing to re-establish the scale of prices existing before the last reduction in wages.' Mr. Gibeault, the other member of the Board, was of opinion that the Company should increase the present schedule of wages by five per cent. The Board found no evidence to establish the existence of any 'black list.' On May 28 the Department was informed that the findings of the Board were accepted by the Company as a basis of settlement of the matters referred for investigation. On June 7 the Department received word also from the representatives of the employees to the effect that the findings were accepted by them and that the Company on its part had promised to re-engage five spinners who had been out of employment for a year.

### REPORT OF BOARD.

The text of the findings of the Board is as follows:—

HON. RODOLPHE LEMIEUX,  
Minister of Labour,  
Ottawa, Ont.

In the matter of the Industrial Disputes Investigation Act, and in the matter of differences between the Dominion Textile Company and its employees.

1. By the application in this matter, two questions were submitted to this Board:

(a) To re-establish, for the mule spinners, the pay-list in force in April, 1908, and from which a reduction had been made in May of the same year of from 10 to 25 per cent;

(b) The doing away with of what is called the 'black list.'

2. It appears that, during the years 1906 and 1907, the mule spinners belonging to the union at Montreal, that is, in the mills of St. Henri and Hochelaga, were first granted an increase of salary of 6 per cent, then an increase of 10 to 12 per cent, followed by another increase of 10 per cent, and, finally another increase of 2 to 2½ per cent, making a total of 30½ per cent for the mule spinners. During those two years, the cotton industry is shown by the evidence adduced before us to have been very prosperous. But, at the end of 1907 a severe depression set in, and was still in existence in the spring of 1908.

3. On the 4th of May a reduction was made on the salaries of the mule spinners and others of 10 per cent, as far as the St. Henri mill is concerned, and a reduction of a little over 10 per cent in some other cases, as regards the Hochelaga mills.

This reduction led to a strike, which was followed by a return to work of the operatives, who were promised that when trade conditions improved their wages would again be raised to the old schedule.

Now, this Board was called upon to inquire as to the mule spinners only of the Montreal union, aggregating about 70, and had nothing to do with the other operatives, numbering about 6,000.

4. The question before us was then whether there had been such an improvement in the conditions of the industry as would warrant the claim of the spinners.

It became a delicate matter to determine what should be the proper basis from which it could be ascertained whether conditions had improved. Was it to compare the operations of the mills in Montreal only, or to take the general operations of the Company for the year that had elapsed? In order to avoid possible error on this point, the Board thought proper to examine both the operations of the mills in Montreal, and the general operations of the Company for that year.

5. For that purpose the Board has sat and examined witnesses, as well on this first point as on the other question. It was thought proper to examine witnesses as fully as possible, and the Board has sat continuously on the 17th, 18th, 19th, 21st and 22nd instant.



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As far as the operations of the mills at Montreal were concerned, it was proved that there had been no improvement in the earnings of profits during the year. On the contrary, there was as the result of continued depression, a diminution in the earnings of those mills.

As to the general operations of the Company, the same result was shown. The operations of the last year have shown a considerable falling off in the profits, and it was proved that the depression which had set in at the end of the year 1907 has continued and still exists at the present time.

It was proved that the main cause for the acute depression in this country is that the depression, being universal, foreign manufacturers have cut prices to such an extent that the tariff protection, which is sufficient in ordinary times, has proved inadequate under present conditions.

So it appears to the majority of the Board that the Company is justified in refusing to re-establish the scale of prices existing before the last reduction in wages.

6. In the opinion of Mr. Gibeault, the Company ought to increase the present schedule by 5 per cent. It appears to Mr. Gibeault that since this Company has been organized the bondholders and shareholders have received interest and dividends in such a way that an increase which would, if applied to all the employees of the Company, mean an outlay of no more than \$75,000 a year, would be justified under the circumstances.

7. Upon the second question submitted to us we find that there was not in existence what is usually termed a 'black list,' and the question of fines was not pressed before us.

We find, however, that some of the spinners who had been employed up to the strike of May, 1908, have not, since secured employment from the Company. In some cases this was apparently due to the fact that personal difficulties had occurred between the men and the overseers. Some of these men have since found employment elsewhere, but some have not.

The Board feels justified in recommending that those whose names were the subject of particular consideration should be given another opportunity of giving their services to the Company in the same departments, and believes it has reason to hope that this recommendation may soon be carried into effect.

In conclusion, we have much pleasure in stating that our proceedings have been carried on in the most harmonious way, and with the most evident desire on the part of all to render justice to all concerned.

(Sgd.) THOMAS FORTIN,  
Chairman.

F. G. DANIELS,  
A. A. GIBEAULT.

MONTREAL, May 22, 1909.



VIII.—APPLICATION FROM RAILROAD TELEGRAPHERS, MEMBERS OF THE ORDER OF RAILROAD TELEGRAPHERS, EMPLOYED BY THE CANADIAN PACIFIC RAILWAY COMPANY—BOARD ESTABLISHED UNANIMOUS REPORT BY BOARD—STRIKE AVERTED.

*Application received.*—May 7, 1909.

*Parties concerned.*—Canadian Pacific Railway Company and its railroad telegraphers, members of the Order of Railroad Telegraphers.

*Applicants.*—Employees.

*Nature of industry concerned.*—Railways.

*Nature of dispute.*—Alleged unfair dismissal and breach of contract.

*Number of employees affected.*—1,600.

*Date of constitution of Board.*—May 29, 1909.

*Membership of Board.*—Honourable Mr. Justice Thos. Fortin, Montreal, Que., Chairman, appointed by the Minister in the absence of any joint recommendation from the other members of the Board; Mr. Wallace Nesbitt, K.C., Toronto, Ont., appointed on the recommendation of the employing Company; and Mr. W. T. J. Lee, Toronto, Ont., appointed on the recommendation of the employees.

*Report received.*—June 11, 1909.

*Result of inquiry.*—Unanimous report of Board was accepted by both parties to the dispute, a strike being thereby averted.

The Minister received on June 11 the report of the Board established to adjust differences between the Canadian Pacific Railway Company and its railroad telegraphers relating to the following claims which had been made in the employees' application: (1) Unfair dismissal of Mr. L. H. Devault from the position of train despatcher at Farnham, Que., December 18, 1908; (2) Breach of contract with the Order of Railroad Telegraphers by displacing despatchers from regular positions at Montreal, contrary to the terms of Article 2 of schedule agreement since January 1, 1909.

The telegraphers called for the reinstatement of Mr. Devault with payment for lost time and requested also that the displaced despatchers should be allowed their regular positions and reimbursed for loss of salary sustained by their removal. The application in this matter was signed by Messrs. D. Campbell and G. D. Robertson, of Toronto, and it was therein stated that 1,600 employees were likely to be affected.

Mr. Wallace Nesbitt, K.C., Toronto, and Mr. W. T. J. Lee, Toronto, were appointed members of the Board on the recommendation of the employers and employees respectively. In the absence of a joint recommendation from Messrs. Nesbitt and Lee, the Honourable Mr. Justice Fortin, Montreal, was appointed by the Minister as Chairman of this Board.

The unanimous findings of the Board were to the effect that the officials of the Company were justified in the dismissal of the said Devault and the contention of the Company was therefore sustained. In the matter of — Rose, the Board concluded that the contention of the Order of Railroad Telegraphers as to the construction to be placed on Rules 1 and 2 was incorrect, and that the contention of the Company was therefore sustained.



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On June 17, the Department was advised of the acceptance by the Canadian Pacific Railway Company of the report of the Board in this matter, and on June 21, word was received of the acceptance of the findings by the Order of Railroad Telegraphers.

### REPORT OF BOARD.

The text of the findings of the Board is as follows:—

In the matter of the Industrial Disputes Investigation Act, 1907, and of the dispute between the Canadian Pacific Railway Company, employer and the Order of Railroad Telegraphers, employees.

The undersigned having been appointed as a Board of Conciliation and Investigation under the above Act, held at Montreal on the 3rd day of June, 1909, and having heard the parties, proceed to investigate the following claims:—

#### IN THE MATTER OF ——— ROSE.

The Board came to the conclusion that the contention of the Order of Railroad Telegraphers as to the construction of Rules 1 and 2 was incorrect and the Company were justified in appointing the said ——— Rose to the position of first train despatcher.

The contention of the Company is, therefore, sustained.

#### IN THE MATTER OF L. H. DEVAULT.

The Board having heard the parties, are of the opinion that the officers of the Company were justified in the dismissal of the said Devault, and the contention of the Company is therefore sustained.

Dated at Montreal this 4th day of June, 1908

(Sgd.)	THOMAS FORTIN, Chairman.
	WALLACE NESBITT, For C. P. R.
	W. T. J. LEE, For Employees.



IX.—APPLICATION FROM EMPLOYEES OF COMPANIES COMPRISING THE WESTERN COAL OPERATORS' ASSOCIATION, AS FOLLOWS:—ALBERTA RAILWAY AND IRRIGATION COMPANY, H. W. McNEILL COMPANY, PACIFIC COAL COMPANY, LEITCH COLLIERIES, LIMITED, WESTERN CANADIAN COLLIERIES, LIMITED, INTERNATIONAL COAL AND COKE COMPANY, LIMITED, AND HOSMER MINES, LIMITED—BOARD ESTABLISHED—EMPLOYEES CEASED WORK, BUT AGREEMENT CONCLUDED LATER BASED ON REPORT OF BOARD.

*Application received.*—May 5, 1909.

*Parties concerned.*—Western Coal Operators' Association and employees.

*Applicants.*—Employees.

*Nature of industry concerned.*—Coal mining.

*Nature of dispute.*—Wages and conditions of labour.

*Number of employees affected.*—2,100.

*Date of constitution of Board.*—May 15, 1909.

*Membership of Board.*—Rev. Hugh Grant, Fernie, B.C., Chairman, appointed by the Minister in the absence of any joint recommendation from the other members of the Board; Mr. Colin MacLeod, MacLeod, Alta., appointed on the recommendation of the employing Companies; and Mr. F. H. Sherman, Taber, Alta., appointed on the recommendation of the employees.

*Report received.*—June 21, 1909.

*Result of inquiry.*—Employees ceased work on March 31, 1909, on the expiry of the agreement under which they had previously been working. Strike continued during sessions of Board, and was terminated on June 30, 1909, by the signing of a new agreement, effective to March 31, 1911, which was based on the report of the Board.

The Minister received on June 21 the report of the Board established to adjust certain differences between the members of the Western Coal Operators' Association and their employees, as signed by the Rev. H. R. Grant, Chairman, and Mr. F. H. Sherman, member appointed on the recommendation of the employees; also a minority report signed by Mr. Colin MacLeod, member appointed on the recommendation of the Western Coal Operators' Association.

This dispute arose out of a 'failure to agree upon the terms and conditions of working agreements which expired on March 31, 1909.' The Board, in its report, expressed the opinion that these old agreements were agreeable to both parties, and therefore recommended a general agreement based on the old form of agreement effective from April 1, 1909, to March 31, 1911.

In this case, Mr. Colin MacLeod, of MacLeod, Alta., and Mr. F. H. Sherman, of Taber, Alta., were appointed members of the Board on the recommendation of the Western Coal Operators' Association and of the employees respectively. Rev. Hugh Grant, of Fernie, B.C., was appointed by the Minister as Chairman in the absence of a joint recommendation from the other two members. In the application it was stated that this dispute affected directly 2,100 men, and indirectly probably 10,000 others. The Board began its labours on May 20 and exerted itself to induce the parties concerned to adjust their differences by mutual agreement, but as no settlement



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was reached in this way the Board visited the various mines affected and took evidence on the questions at issue. In its findings it was referred to a dispute respecting differential rates on pillars and contract rates at Lille, Bellevue, Hillcrest and Coleman mines, and expressed the opinion that if the parties each made an earnest effort they could easily settle, by mutual agreement or joint committee, any difficulties outstanding in this connection. On the subject of discrimination, the Board advised that the understanding arrived at with regard to discrimination, as reported by the Deputy Minister of Labour in the report of the Department of Labour in 1907, be observed by the parties to the present agreement.

The effect of the report of the Board, if accepted, would be, the Chairman explained in a covering letter, to give neither a 'closed shop' nor an 'open shop,' but to continue an agreement which had worked out amicably for two years.

The minority report of Mr. Colin MacLeod was in substantial agreement with the report of the Board. Mr. MacLeod had discussed at some length the merits of the points at issue, and finds the chief dispute to be 'the matter of the preamble and check-off clause, the miners contending that the preamble and check-off clause submitted by them would constitute a legal and binding agreement, the operators replying that it would not improve the legal aspects of the agreement heretofore existing and that its only effect was the establishment of a "closed shop," to which they could not agree.' Mr. MacLeod submitted that the preamble prepared by the miners did not improve the legal and binding effect of the preamble, used in the old agreement, nor on the other hand should the preamble, he thought, of the operators be adopted. Mr. MacLeod had incorporated in his report a draft agreement covering all points in dispute between the Western Coal Operators' Association and its employees. On the subject of a check-off clause, Mr. MacLeod said in his report: 'The applicants are undoubtedly entitled to a check-off clause in their agreement, but the check-off clause submitted by them being inconsistent with the laws in force in British Columbia and Alberta should not be accepted, and the check-off clause of the old agreements should be continued, the same being shown in the agreement above referred to.'

The Minister received early in the month of July a communication from Mr. Lewis Stockett, president of the Western Coal Operators' Association, stating that on June 30, an agreement was signed terminating the differences which had existed for a period of three months between the Western Coal Operators' Association and District No. 18, United Mine Workers of America, the Companies affected by the agreement being as follows, namely: The Bankhead Mines, Limited; The H. W. McNeill Co., Limited; Coal Department of Alberta Railway and Irrigation Company; Leitch Collieries, Limited; Royal Collieries, Limited; West Canadian Collieries, Limited (Bellevue and Lille mines); Hillcrest Coal and Coke Company, Limited, International Coal and Coke Company, Limited, and the Hosmer Mines, Limited.

The new agreement entered into on June 30 between the Western Coal Operators' Association and workmen in its employ, as represented by District 18 of the U. M. W. of A., covers many points not referred to in the agreement between the same parties of 1907, and differs therefrom in certain other respects. In the main, the agreements are along substantially similar lines. Four of the coal mining Companies who were parties to the old agreement, namely, the Crowsnest Pass Coal Company, the Pacific Coal Company, the Breckenridge and Lund Coal Company, and the Canadian American Coal and Coke Company, do not appear as signatories to the agreement of June 30, 1909. On the other hand, the new agreement contains the names of five Companies who had not taken part in the agreement which was entered into between the Western Coal Operators' Association and the U. M. W. A. two years ago, namely, the Coal Department of the Alberta Railway and Irrigation Company, Royal Collieries, Leitch Collieries, Hillcrest Coal and Coke Company and Hosmer Mines.



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In respect of wages, no change is made in the scale governing outside wages. The inside scale of wages which governed during the period from March, 1907, to March, 1909, is also continued in effect during the life of the new agreement, with the following exception: Machine men to be rated at \$3.50 per shift and machine helpers at \$3 per shift. The schedule of the old agreement relating to couplers, pushers, loaders, buckers, locomotive engineers, motormen, switchers and cagers is annulled in the new contract.

A clause is embodied in the new agreement declaring that the right to hire and discharge, the management of the mine and the direction of the working forces are vested exclusively in the Company, and that the United Mine Workers of America shall not abridge this right.

A clause has also been added enumerating the employees who are not under the jurisdiction of the U. M. W. A., viz.: It is also agreed that all men working on improvements and extensive repairs are not included in the jurisdiction of the U. M. W. A.

Penalties are imposed for absence from work and for stoppage of work. Other clauses of the new agreement not included in the agreement of 1907 deal with the following subjects: Check weighmen, preference of employment, minimum rate, miners taken to do company work, delivery of timber, loading of coal from chutes, doctor and hospital arrangements, store, holidays, funerals, sub-contracting, single shift, wet places, rock miners, brushing, retirement, oil, pay day, definition of schedule rates, turn in cars, back hands, contract prices, local conditions.

The Department was further informed that a mutual understanding was reached as between the parties with reference to the question of discrimination, and that it was agreed that the witnesses to the signatures attached to the agreement should write a joint letter to the Minister of Labour setting forth the fact that this mutual understanding was effected and to be binding upon both parties, and that the Minister should be requested to have the same published in the first issue of the *Labour Gazette*. Accordingly, with the letter addressed to the Minister by the President of the Western Coal Operators' Association, was forwarded a joint communication to the Minister from Messrs. T. E. James and Hamilton B. Fuller expressing the terms of the understanding effected on the subject indicated and requesting that the same might be published in the *Labour Gazette*.

The following is the text of the joint communication from Messrs. James and Fuller, which was duly published as requested in the *Labour Gazette* for July, 1909, p. 79:—

THE WESTERN COAL OPERATORS' ASSOCIATION.

Hosmer, B.C., June 30, 1909.

TO THE HONOURABLE  
THE MINISTER OF LABOUR,  
Ottawa, Ont.

SIR,—In accordance with an agreement entered into this date between District No. 18, United Mine Workers of America, and the Western Coal Operators' Association, to which agreement we are the witnesses, to the signatures of both parties, and carrying out the following:

Witnesses to the signatures of the agreement, to write a letter to the Minister of Labour stating, 'that the settlement reached was based on the understanding that it is distinctly understood and agreed between the parties that there is to be no discrimination on the part of the Companies against union men, or on the part of the



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union men against non-union men employed, and that it is agreed that the same be published in the *Labour Gazette*.'

Kindly have the above published in the *Labour Gazette* and oblige,

Your obedient servants,

(Sgd.) T. E. JAMES,  
HAMILTON B. FULLER.

## REPORT OF BOARD.

The text of the findings of the Board is as follows:—

Fernie, B.C., June 15, 1909.

TO THE HONOURABLE  
THE MINISTER OF LABOUR,  
Ottawa, Ont.

SIR,—Having concluded our investigations, and bearing in mind the interests of the parties involved, and the suffering in consequence of the dispute, we have the honour to recommend the following as the basis of a settlement:

We believe that the old agreements, expiring on March 31, 1909, are agreeable to both parties, and we therefore recommend a general agreement, based on the old agreement, expiring on the above date, the term of the agreement to date from 1st of April, 1909, to the 31st March, 1911.

### DIFFERENTIAL ON PILLARS AND CONTRACT RATES AT LILLE.

We are of the opinion that if the parties each make an earnest effort they can easily settle any difficulties that may exist at Lille, Bellevue, Hillcrest and Coleman mines, in the same manner as heretofore, by mutual agreement, or by the joint committee and independent chairman, as provided for by all previous agreements between the parties. We, therefore, recommend that this course be adopted and a definite settlement be made within thirty (30) days of signing an agreement.

### DISCRIMINATION.

We recommend that the understanding arrived at with regard to discrimination, as reported by the Deputy Minister of Labour, in the report of the Department of Labour, in 1907, be observed by the parties in this agreement.

We have the honour to be, sir,

Your obedient servants,

(Sgd.) H. R. GRANT,  
Chairman.

F. H. SHERMAN,  
Member of Board.



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## MINORITY REPORT.

The text of the minority report is as follows:—

MacLeod, Alta., June 16, 1909.

TO THE HONOURABLE  
THE MINISTER OF LABOUR,  
Ottawa, Ont.

In the matter of the Industrial Disputes Investigation Act, 1907, and in the matter of a dispute between the Western Coal Operators' Association, and the employees of the above Companies, as represented by District No. 18, United Mine Workers of America.

SIR,—I have had the advantage of seeing the award of my colleagues, and regret that notwithstanding we are agreed as to the matters in dispute, we differ as to the conception of our duties. I feel that under section 26 of the Industrial Disputes Investigation Act, it is incumbent upon the Board to deal with each item of the reference, and that the Board should not hesitate to give an opinion upon the questions it is called upon to decide. The objection I have to signing the award of my colleagues will, no doubt, be your objection to accepting it—it is not an award. Moreover, Sir, I feel that after the prolonged investigation had in this matter, that the Board should be in a position to render a decision upon at least one of the questions in dispute, and that it should not return the reference to you without a word of comment as to the merits of the case. Since the 20th day of May last the Board has practically been in continuous session, during which time voluminous evidence was taken, and after full and thorough investigation and inspection I beg to report on the matters in dispute as follows:—

This dispute arose by reason of the parties being unable to renew an agreement which expired on the 31st day of March, 1909. From the evidence adduced it appears that during the month of March the parties, by their representatives, met in conference, and made an agreement satisfactory to the representatives, which the operators agreed to adopt, and which was submitted to the several local unions for consideration on a referendum vote. This vote carried by a large majority, but notwithstanding this vote and the agreement of the committees, operations were suspended by the applicants.

The following is the text of the application and reply:—

## APPLICATION.

It is hereby agreed, between the Western Coal Operators' Association, consisting of the Pacific Coal Company, Limited; the H. W. McNeill Company, Limited; the Leitch Collieries, Limited; the West Canadian Collieries, Limited; the Hillcrest Coal and Coke Company, Limited; the International Coal and Coke Company, Limited; the Alberta Railway and Irrigation Company, of the one part, and the employees of the said Companies, as represented by the United Mine Workers of America, District No. 18, of the other part, that the agreement existing prior to April 1, 1909, respecting general provisions and scales of contract prices and wages, shall govern the parties hereto for the period of two years, commencing April 1, 1909, and ending March 31, 1911, in so far as the same may not be modified or affected by the provisions of this agreement; it being understood and agreed that the parties hereto will meet in conference sixty days prior to the expiration of this agreement to discuss a renewal thereof. This agreement covers all the mines, coke ovens and outside plants operated by the Companies, and all persons accepting employment at these mines shall be governed by the following rules and regulations.—



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'The Company will require each person employed by them, or to be employed by them, as a miner, mine labourer, or otherwise, in and about the mines and coke ovens of the prospective Companies, to sign this agreement, as a condition precedent to continued employment of the person already employed or to be employed. The agreement to be placed in a book, together with a legal check-off clause and signed by all employees.

## HOURS OF LABOUR.

'All underground wages shall be computed from the time of entry at the surface of the mine to the time of return to the surface of the mine, based upon the eight (8) hour bank to bank shift.

## LILLE COLLIERIES.

'A contract price to be agreed upon for the seams at present being worked at Lille.'

## REPLY.

The Western Coal Operators' Association, above mentioned, state in reply to the application made herein as follows:—

'1. That a strike exists at the following named collieries, viz.: Bankhead Mines, Limited, The H. W. McNeill Company, Limited; Coal Department of the Alberta Railway and Irrigation Company; Royal Collieries, Limited; the Leitch Collieries, Limited; the Hillcrest Coal and Coke Company, Limited; the West Canadian Collieries, Limited; the International Coal and Coke Company, Limited, and the Hosmer Mines, Limited, and the employers at said collieries are members of the Western Coal Operators' Association.

'2. The applicants have caused the said strike to be declared at each of the said collieries named, and the Board should inquire into the dispute existing at each and all of said collieries.

'3. That the discontinuance of operations at the said collieries is the result of a strike ordered by the president and secretary of District No. 18 of the United Mine Workers of America, contrary to the provisions of the Industrial Disputes Investigation Act, 1907.

'4. That the demands of the applicants as shown on page 1 of said application is unfair and should not be allowed, and in lieu of the said demands the following should be adopted:—

'IT IS HEREBY AGREED, between the Western Coal Operators' Association (consisting of Bankhead Mines, Limited; the H. W. McNeill Company, Limited; Coal Department of the Alberta Railway and Irrigation Company; Royal Collieries, Limited; the Leitch Collieries, Limited; the Hillcrest Coal and Coke Company, Limited; the West Canadian Collieries, Limited; the International Coal and Coke Company, Limited, and the Hosmer Mines, Limited), of the one part, and the employees of the said Companies, as represented by the United Mine Workers of America, District No. 18, of the other part, that the following agreement, respecting general provisions and scale of contract prices and wages, shall govern the parties hereto for the period ending March 31, 1912, it being understood and agreed that the parties thereto will meet in conference thirty days prior to the expiration of this agreement, to discuss a renewal thereof.

'5. That the agreement made between the parties hereto at the conference held in March, 1909, should be adopted, with the exception of the modifications following:

(a) The check-off clause should be struck out.

(b) After the twenty-fifth word in the discrimination clause the words 'or interference with' should be inserted.



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(c) In the schedule relating to outside and inside wages the clause in regard to minimum and higher wages should be omitted.

(d) There should be a differential on all pillars and a reduction on some of the contract rates in the previous agreement.

(e) A blacksmith charge of fifty cents per month per miner, and a uniform rate of \$2.50 per ton for run of mine coal, and \$3 for screened coal delivered to employees residing at the mines.

(f) No check-off clause or deductions shall be allowed other than as provided for by the laws of the provinces of Alberta and British Columbia.'

You will note the chief dispute between the parties is the matter of the preamble and check-off clause, the miners contending that the preamble and check-off submitted by them would constitute a legal and binding agreement, the operators replying that it would not improve the legal aspects of the agreements heretofore existing, and that its only effect was the establishment of a 'closed shop' to which they could not agree. The matters relating to hours of labour, contract prices at Lille and differential on pillars have arisen since the cessation of work, and their existence is due largely to the friction now existing between the parties.

Taking up the questions as they appear in the reference and in the reply, I am of the opinion that the Board's award in respect of the several matters should be:—

1. That the preamble submitted by the applicants does not improve the legal and binding aspects of the preamble used in the old agreement, nor should the preamble submitted by the operators be adopted, but, on the other hand, the preamble which is set out in the agreement hereafter recommended should be adopted.

2. CHECK-OFF CLAUSE.—The applicants are undoubtedly entitled to a check-off clause in their agreement, but the check-off clause submitted by them being inconsistent with the laws in force in British Columbia and Alberta should not be accepted, and the check-off clause of the old agreements should be continued, the same being shown in the agreement above referred to.

3. HOURS OF LABOUR.—After hearing the evidence on this question, it is quite apparent to the Board and to the parties that no grievance existed between them on this question, but that by reason of a misunderstanding between them, this demand was made; moreover, the matter being governed by the statutes in force in British Columbia and Alberta, the Board has no jurisdiction to deal with the same.

4. LILLE COLLIERIES.—The applicants demanded at these collieries that a contract price be fixed on what is known as 'Bear Valley No. 1 seam,' and the Company objected to grant a new rate on the ground that this seam is the original Lille No. 1 seam already under contract rates, and that by reason of a fault they were obliged to work this seam under the rates applicable to abnormal conditions. From personal inspection of the mine and the evidence adduced, the Board is of the opinion that the contention of the operators as to the identity of the seam is correct, but, on the other hand, recommends that there should be some consideration given to the miners for the extra timbering required.

5. DIFFERENTIAL ON PILLARS.—The Board is also of the opinion that the system of paying for timber in the pillars at Coleman and Hillcrest mines constitutes a grievance on the part of the Companies, and in view of the fact that the evidence discloses that differential on pillars should exist in all pitching seams, the Board recommends that this matter together with the demand relating to differential on pillars at Bellevue be referred to the special committee.

6. OTHER DEMANDS.—The demands relating to blacksmith charge and price of coal at mines being trivial, the Board cannot recommend any variance from the Macleod agreement, to which each party has committed itself.

7. DISCRIMINATION.—The Board says in regard to the matter of discrimination that having heard the evidence submitted by the applicants to the effect that some



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managers discriminated between non-union and union men, and that union men have discriminated against non-union men, and being satisfied that such evidence is correct, the Board is of the opinion that a discrimination clause should be embodied in the agreement to be made between the parties.

Unfortunately one of the members of the Board, who has a practical knowledge of mining, is ill and unable to discuss and advise with me, therefore, I hesitate to fix any definite award in regard to the Lille, Bellevue, Hillcrest and Coleman mines, but in lieu thereof recommend the same to the consideration of the special committee as provided for in the agreement hereafter written, and recommend also that it be embodied in the agreement that the special committee meet at the earliest possible moment.

Having in mind the agreements which existed between the parties prior to the 1st day of April, 1909, and the Macleod agreement, which was approved of on a referendum vote, I have compiled an agreement based on these agreements, which I would recommend to the parties for acceptance, subject to the findings of the special committee in regard to the Bellevue, Hillcrest, Coleman and Lille mines, which, when made, should constitute a part of the said agreement.

The agreement referred to is as follows:—

AGREEMENT between the Western Coal Operators, Association (consisting of Bankhead Mines, Limited, the H. W. McNeill Co., Limited, Coal Department of the Al-  
berta Railway and Irrigation Company; Royal Collieries, Limited; the Leitch Collieries, Limited; the Hillcrest Coal and Coke Company, Limited; the West Canadian Collieries, Limited; the International Coal and Coke Company, Limited; the Hosmer Mines, Limited, of the one part and the employees of the said Companies as represented by the United Mine Workers of America, District No. 18, of the other part, with respect to prices to be paid at the several collieries, and with respect to other matters governing the relations between the said parties:—

OUTSIDE WAGES.—The outside scale of wages, which governed the parties hereto on March 31, 1909, shall continue in effect during the life of this agreement.

INSIDE WAGES.—The inside scale of wages, which governed the parties hereto on March 31, 1909, shall continue in effect during the life of this agreement, with the following exceptions: Machinemen are to be rated at \$3.50 per shift, and machine helpers at \$3 per shift, and schedule 'D' of the agreement expiring March 31, 1909, is annulled.

CONTRACT PRICES.—The scale of contract prices which governed the parties hereto on March 31, 1909, shall continue in effect during the life of this agreement, in so far as the same are not modified or affected by the provisions herein.

IT IS EXPRESSLY AGREED between the parties hereto that the matter of the timber grievance in No. 1 seam at Lille mine, timbering in the pillars at Hillcrest and Coleman mines and a differential on pillars at Hillcrest, Bellevue and Coleman mines, shall be referred to a special committee, said committee to consist of five members, two appointed by the president or vice-president of District No. 18, United Mine Workers of America, and two appointed by the president of the Western Coal Operators' Association, at the time of the signing of this agreement, the fifth member to be appointed immediately by the Minister of Labour. The committee thus constituted shall take up the matters referred to and render a decision on the same within ten days, this decision to be binding on the parties and become part of this agreement, and to take effect from the date hereof.

MANAGEMENT OF MINE.—The right to hire and discharge, the management of the mine, and the direction of the working forces are vested exclusively in the Company, and the United Mine Workers of America shall not abridge this right.



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**DUTIES OF PIT COMMITTEE.**—The Pit Committee shall be a committee of three in each colliery, or other plant covered by this agreement, selected by the employees working at such colliery or other plant from amongst their own number, except one member may be a checkweighman or an officer of the local union, not necessarily an employee of the Company. This member must previously have been selected as checkweighman or officer from amongst the employees of the aforesaid colliery or other plant; due notice of such selection properly certified shall be given to the Company.

The duties of the Pit Committee shall be confined to the settlement of disputes between the pit boss or foreman, and any employee working in or around the mine, arising out of this agreement, and all agreements made in connection therewith, the pit boss or foreman, and man or men having failed to agree.

The Pit Committee in discharge of its duties, shall under no circumstances go around the mine for any cause whatever, unless called upon by the pit boss or foreman, or by a miner or day man, who may have a grievance which he has first tried to and cannot settle with the boss.

Members of the Pit Committee employed as day men shall not leave their places of duty during working hours, except by permission of the pit boss or foreman, or in cases involving the stoppage of the mine.

#### SETTLEMENT OF LOCAL AND GENERAL DISPUTES.

**A.**—In case any dispute or grievances arise under this agreement, or any local agreement made in connection therewith, whether the dispute or grievance is claimed to have arisen by the Company or any person or persons employed or by the men as a whole, then the parties shall endeavour to settle the matter as hereinafter provided. But before any grievance or disputes shall be submitted to the Pit Committee, the person or persons affected shall endeavour by personal application to the pit boss, overman or foreman in charge of the work where the dispute arises to settle the matter, and in the event of their agreeing their decision shall be final.

**B.**—In case of any local dispute arising in any mine and failure to agree between the pit boss, overman or foreman in charge of the work where the dispute arises, and any employee, the Pit Committee and mine superintendent, or mine manager, shall endeavour to settle the matter, and if they agree their decision shall be final.

**C.**—In the event of the failure of the Pit Committee and the mine superintendent or mine manager to settle any dispute so referred to them, as well as in the event of other disputes arising, the matter in dispute shall be referred to the general superintendent or general manager of the Company and the officers of District No. 18, United Mine Workers of America, to settle, and if they agree their decision shall be final. Should they fail to agree it shall be referred to a joint committee, said committee to be made up of three operators appointed by the Western Coal Operators' Association and three miners appointed by District 18, United Mine Workers of America, for settlement. If they agree, their decision shall be binding upon both parties. A majority of a full committee must vote in favour of any action before it can be declared carried.

In the event of a failure to agree, the committee shall endeavour to select an independent chairman, and failing to agree upon an independent chairman the Minister of Labour shall be asked to appoint such chairman, the decision of the committee thus constituted shall be binding on both parties.

The joint committee shall meet every three months on the second Tuesday or at any time on the joint call of the president of the Western Coal Operators' Association and the president of District 18, United Mine Workers of America.

**D.**—In the meantime, and in all cases while disputes are being investigated and settled, the miners, mine-labourers and all other parties involved must continue to work pending investigation, and until final decision has been reached, but where



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miners, mine labourer or mine labourers has or have been discharged by the Company he or they shall not remain in the employ of the Company while his or their case is being investigated and settled. If a claim be made within five days where a man or men has or have been unjustly discharged the case shall be dealt with according to this article, and if it is proven that he or they have been unjustly dealt with he or they shall be reinstated. If claim is made for compensation for loss of time in cases where reinstatement has followed, it shall be left to the joint committee to decide what amount, if any, is to be paid.

E.—Any breach of this agreement by any of the parties hereto is not to void the said agreement, but the same is to continue in full force and effect. It is not intended, however, by this subsection to abridge the right of a man to suspend work after the final settlement as herein provided, if any operator or operators refuse to be bound by any decision given against them under this article.

NEW WORK.—Whenever any new work arises, the price for which has not been provided for in this agreement, on the request of the Company or the miners, the joint committee of the Western Coal Operators' Association and District No. 18 of the United Mine Workers of America shall meet within thirty days after the said request and arrange a price. Meantime and until such price has been arranged all men shall be paid upon the day wage scale.

EMPLOYEES NOT UNDER JURISDICTION.—The following employees are not under the jurisdiction of the United Mine Workers of America, mine manager or superintendent, overman or pit boss, or assistant overman or pit bosses, fire bosses, boss driver, stable boss, master mechanic, electricians, weighmen, head carpenter, tippie or breaker foreman, loader boss, night watchman, coke oven foreman, outside foreman and all other foremen, time keepers, coal inspectors and head lampmen.

CONSTRUCTION AND EXTENSIVE REPAIRS.—It is agreed that all men working on improvements and extensive repairs are not included in the jurisdiction of the United Mine Workers of America. The erection of head frames, tipples, breakers, washers, buildings, coke ovens, scales machinery, railroad tracks, switches, &c., necessary for the completion of the plant all being in the nature of construction work and extensive repairs or rebuilding of the same class of work are to be considered as improvements and extensive repairs, and the employees there are to be excluded as above when employed on such work only.

CHECK-OFF.—The Company will give to the United Mine Workers of America full recognition and concede the check-off system; that is to say, upon the individual request in writing of any of the Company's employees the Company shall deduct such moneys from their wages each month as are designated for dues, assessments, fines and initiation fees, in other words, the Company will retain from the wages due employees any sums they may have given orders upon the Company for in writing payable to such officers of the United Mine Workers of America as may be designated in such orders.

DISCRIMINATION.—No person shall be refused employment or in any way discriminated against on account of membership in labour organizations, and there shall be no discrimination against any employee who is not a member of a labour organization by members of such an organization.

PENALTY FOR ABSENCE FROM WORK.—When an employee absents himself from his work for a period of two days unless through sickness or by first having properly arranged with the pit boss or foreman and obtained his consent, he may be discharged. All employees whose absence would cause any stoppage of work must, before absenting themselves, properly arrange with or notify the pit boss or foreman of their absence, otherwise they may be discharged. Any employee who habitually to the extent of five days per month absents himself from work may be discharged.



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**PENALTY FOR STOPPAGE OF WORK.**—If any employee or employees shall cause a stoppage of work in violation of this agreement, he or they shall be subject to discharge by the Company without recourse.

**CHECK WEIGHMAN.**—The Company will grant the right to the miners to employ check-weighers, and will grant the said check-weighers every facility to enable them to render a correct account of all coal weighed and will allow the cars to be tared from time to time, and the machine to be properly tested from time to time and will deduct from the wages of all contract miners such amounts as may be designated from time to time, and will pay over the same to the secretary of the local union for wages of check-weighers.

**PREFERENCE OF EMPLOYMENT.**—In case an employee is thrown out of employment, unless discharged, he shall be given preference over new men in other mines in the same camp operated by the same Company.

**MINIMUM RATE.**—When a miner's working place becomes deficient owing to any abnormal conditions preventing him from earning the minimum wage of \$3 per shift, and should the Company desire to continue to work such place or places, the mine manager and Pit Committee shall examine said place or places and agree upon a rate to be paid a miner for such deficient work. Failing to agree upon such rate the place if worked shall be worked on the day wage scale per miner.

**MINERS TAKEN TO DO COMPANY WORK.**—The Company shall pay the sum of \$3 per day for all miners taken from contract work to do Company work.

**DELIVERY OF TIMBER.**—In accordance with the Coal Mines Regulation Act of British Columbia and Alberta the Company shall at all times deliver an adequate supply of suitable timber, rails, ties and sheet iron at the nearest cross-cut to the face of all raise workings, and in places where the regular pit cars go the working face without being handled by the miner; they shall be delivered on the cars at the working face; in other places across pitch, the timber, rails, ties, planks and sheet iron shall be delivered at the mouth of the room.

**LOADING OF COAL FROM CHUTES.**—In pitching seams where chutes are used the Company will handle all coal placed in chutes by the miners.

**DOCTOR AND HOSPITAL.**—The matter of doctor and hospital arrangements is to be arranged between the employees and the management, and when so arranged the Company agrees to make collections for that purpose. This is subject in British Columbia to the laws of the province.

In camps where doctor and hospital arrangements have already been made and are satisfactory, the customs prevailing in such camps shall continue.

The joint committee shall at their first meeting provide rules for the mode of procedure for the making of arrangements between the employees and the manager.

**STORE.**—It shall be understood and agreed that the employees shall be at perfect liberty to purchase goods wherever they may choose to do so.

**HOLIDAYS.**—The following days only shall be observed as holidays:—New Year's Day, Victoria Day, Dominion Day, Labour Day, Thanksgiving Day, District and International Election Day, Christmas Day.

**FUNERALS.**—In the event of an instantaneous death by an accident in the mine or outside the mine, the miners underground and all other employees except in the seam where the accident occurred shall continue to work until the day of the funeral when it is optional with them whether they shall work or not.

**BACKHANDS.**—The present practice of working miners either as partners or with miners and labourers as it exists in the several camps at the present time, shall be adhered to.

With the following provisions, that the clauses in regard to the same in the agreements expiring March 31, 1909, shall remain in effect.



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On all Company work the Company shall employ such class of men as the work requires, and at the rates of wages provided for in this agreement.

**SUBCONTRACTING.**—No subcontracting shall be allowed in any mine operated by the Company, but this shall not apply to the employment of backhands.

**EMPLOYEES TO CARE FOR MINE.**—In case of either local or general suspension of mine, either at the expiration of this contract or otherwise, the engineers, firemen and pumpmen shall not suspend work, but shall, when mining is suspended, fully protect all the Company's property under their care and operate fans and pumps and lower and hoist such men and supplies as may be required to protect the Company's property, and any and all coal required to keep up steam at the Company's coal plant, but it is understood and agreed that the Companies will not ask them to hoist any coal for sale on the market.

**SINGLE SHIFT.**—The single shift system in rooms and pillars shall be adhered to as far as practicable.

**WET PLACES.**—The working place in the mine where water drips from the roof in quantities sufficient to wet a man's clothing or where standing water is sufficient to wet a man's clothing above his knees shall be considered a wet place; a place where the use of gum-boots will keep a man's feet dry shall not be considered a wet place.

**ROCK MINERS.**—Where a man is continually engaged on rock work where hammer and steel are used, he shall be considered as a rock miner and paid a rock miner's wages.

If an air drill is used, the driller shall be paid machine wages, and the helper machine runners helpers' wages; the other men engaged shall be classed as miners or labourers as may be.

Where a man is engaged on work in both rock and coal, if the amount of rock is greater than the amount of coal he shall be classed as a rock miner, and where the amount of coal is greater than the amount of rock he shall be classed as a coal miner.

**BRUSHING.**—Where a man is engaged in continuous brushing either top or bottom using the usual drills and tools, he shall be classed as a coal miner; if the brushing is done by hammer and steel he shall be classed as a rock miner.

Timbermen taking out rock while engaged in retimbering or repairing shall not be classed as rock miners.

**RETIREMENT.**—Where any employee has drawn his time before the regular pay day he thereby severs his connection with the Company, and any alleged grievance he may have ceases to be a question for consideration under this agreement.

**CHINESE LABOUR.**—The United Mine Workers of America does not in any way prohibit the employment of Chinese in or around the mines, but where such labour is employed they shall be paid the scale for such work with the following provisions; that is, that where they are now employed at Bankhead and Canmore the present rates shall not be interfered with in any way by the United Mine Workers of America during the life of this agreement.

**OIL.**—Present conditions to prevail.

**PAY DAY.**—The Companies will continue to pay the regular pay rolls according to the present customs at the several mines. Statements to be issued two days before pay day.

Any employee desiring to leave the service of the Company shall on his request be paid all moneys due him within two days after his stoppage of work.

**MARKET RESTRICTIONS.**—It is agreed that District No. 18, United Mine Workers of America, will not in any way restrict or interfere with the marketing of coal or coke to any person, firm or corporation.

**LOCAL CONDITIONS.**—The same as those existing at the several mines previous to the 31st day of March, 1909.



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This agreement shall govern the parties hereto for the period ending March 31, 1912, and it is understood and agreed that the parties hereto shall meet in conference thirty (30) days prior to the expiration of this agreement to discuss a renewal thereof.

Hoping that this recommendation may be acceptable to you and the parties concerned in the dispute.

I have the honour to be, sir, your obedient servant,

COLIN MACLEOD,



SESSIONAL PAPER No. 36

**X.—APPLICATION FROM EMPLOYEES OF THE CUMBERLAND RAILWAY AND COAL COMPANY, SPRINGHILL, N.S., MEMBERS OF THE UNITED MINE WORKERS OF AMERICA—BOARD ESTABLISHED—EMPLOYEES CEASED WORK.**

*Application received.*—May 10, 1909.

*Parties concerned.*—Cumberland Railway and Coal Company, Springhill, N.S., and employees.

*Applicants.*—Employees.

*Nature of industry concerned.*—Coal mining.

*Nature of dispute.*—Wages, conditions of labour, and demand for recognition of the United Mine Workers of America.

*Number of employees affected.*—1,550.

*Date of constitution of Board.*—June 5, 1909.

*Membership of Board.*—Honourable Mr. Justice J. W. Longley, Halifax, N.S., Chairman, appointed by the Minister in the absence of any joint recommendation from the other members of the Board; Mr. Chas. Archibald, Halifax, N.S., appointed by the Minister in the absence of any recommendation from the employing Company; and Mr. E. B. Paul, M.P.P., Springhill, N.S., appointed on the recommendation of the employees.

*Report received.*—July 23, 1909.

*Result of inquiry.*—The Board's findings were not accepted by the employees, and strike was declared by them on August 9, 1909, which resulted in the closing down of the Company's mines until early in the month of March, 1910, when operations were resumed on a limited scale. A number of the Company's former employees still remained on strike at the end of the month of March.

The Minister received, on July 23, the report of the Board of Conciliation and Investigation, to which was referred for adjustment the differences between the Cumberland Railway and Coal Company, Limited, and certain of its employees, members of Local Union No. 469 of the United Mine Workers of America. The Board was composed of the Honourable Mr. Justice Longley, Judge of the Supreme Court of Nova Scotia; Mr. Charles Archibald, Halifax, appointed for the Company, and Mr. E. B. Paul, M.P.P., appointed for the employees. Mr. Archibald was appointed by the Minister in the absence of a recommendation from the Company. The first meeting of the Board was held on June 22, at Springhill, N.S. The employees were represented by Messrs. Seaman Terris, D. C. Matheson and Charles Betts. The Company was represented by Messrs. D. Stewart, assistant general manager; W. D. Mathews, assistant manager, and C. J. Alboom, official measurer.

The employees concerned being unwilling to abide by the findings of the Board in this matter, a strike was declared on August 9, which resulted in the closing down of the Company's mines. Operations were resumed on a limited scale early in the month of March, 1910, but a considerable number of the Company's former employees still remained on strike at that time.

The report of the Board was signed by the three members of the Board, but was accompanied by a foot note signed by Mr. Paul individually, modifying in some



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degree his acquiescence in the findings. The specific demands contained in the application for the Board in this matter were as follows, viz.:—

1. Recognition of the union.
2. To determine the standard weight of a box of coal for the purpose of forming a basis from which the rate per ton shall be arrived at.
3. To establish a schedule of prices for all classes of work in and about the mines.
4. To establish a docking system.

The Board remarked, 'while these are the special and specific matters which are to be considered and adjudicated upon by the Board, the circumstances surrounding the whole inquiry seem to require a general statement in order that the position should be fairly understood.'

The Board thereupon recited the circumstances under which three separate Boards of Conciliation and Investigation had been appointed during the last two years to inquire into disputes between this Company and its employees and enumerated the leading features of the different investigations, dwelling particularly upon the strike of thirteen weeks which occurred in the autumn of 1907, and which was brought to a termination only by the acceptance on the part of the men of the findings of the Board of Conciliation first established to adjust the differences between the Company and its employees.

Taking up first the question of the recognition of the union, the Board recited the circumstances and sets forth the arguments used by the respective sides to sustain their positions in the negotiations that had taken place.

#### RECOGNITION OF U. M. W. A.

It was claimed before the Board by the employees that they have a perfect right to choose for themselves what form of organization they should adopt, and that the constitution and methods of the United Mine Workers were more advantageous to them than association with the Provincial Workmen's Association.

The Company, on its part, stated that it was prepared to receive individuals or committees of the employees on all matters pertaining to employment, and that no man or men had been refused a hearing by the Board of Management unless he or they came as a committee from the local union of Mine Workers. The Company contended that it should not be required to help support what is regarded as a foreign labour organization, the main body of whose members are working, it says, to produce coal to supplant the Nova Scotia product in Canadian markets; that determined efforts were already being made by American operators to capture the St. Lawrence trade from the Nova Scotia producers; that the cost of producing coal in the United States was only one-third of the cost of putting coal f.o.b cars in the deep mines of the mainland of Nova Scotia; that if this invasion continues Nova Scotia operators would either have to close down or reduce the cost of production. Objection was taken by the Company to the Constitution of the U. M. W., and it was 'claimed that the P. W. A. is under the legislative control of the Province, while the U. M. W. as a body had neither standing nor property in Canada and are not under legislative control.'

The Board declared that whilst recognition of the U. M. W. by this Company might at the moment remove one source of friction between the parties it was by no means clear to the Board 'that any right exists on the part of the Department of Labour to enforce upon any Company operating a mine or any other industrial enterprise, a compulsion to give official recognition to any labour organization formed among its employees.' It did not appear to the Board that recognition of labour organizations is by any means a universal rule in such cases. The Board added that 'certain large employers of labour have refused and continue to refuse to recognize



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any labour organization, and transact their business with individual employees or committees representing them. In the present instance the Board consider that it ought to be left to the judgment and discretion of the Company as to how far it will officially recognize an organization having its central authority outside the province and largely under the control of interests that may be at some time in acute competition with the interests of the Company.'

With reference to the second point of the reference to the Board regarding the method of determining the standard weight of a box of coal the Board advised that 'Section 22 of Chapter 8 of the Nova Scotia Acts of 1908 provides a method by which any existing system of weighing can be changed or modified by arbitration and this Act is enforceable by penalties. It seems clear to your Board that this constitutes a much more effective method of remedying any grievance than any mere empty recommendation of a Conciliation Board.'

On the question of the employees' claim for a schedule of rates the Board found that counsel for the employees was not disposed to press this branch of their claim 'inasmuch as it had already been dealt with by the Board presided over by Judge Patterson.' The Board was not disposed to differ from the general proposition that a schedule of rates when practicable is eminently desirable, but 'nothing,' it asserted, 'is clearer than that the Company is not now in a position to admit of any increase whatever in the cost of production.'

The Board did not think that the docking system is at present working unfairly or resulting in any palpable injustice to the miners. In some few sections of the mine owing to the character of the chutes, the Board said it is possible that the system now in vogue may in some instances work injustice. The most effective remedy, in the judgment of the Board, would be for the miners in those special districts to assume the care of the chutes through which they work. The Board recognized that it would be extremely difficult to apply to the whole mine the system of fines or docking, which would only be specially applicable to certain parts of the mine and not applicable to all. Instead of the present system the Board recommended 'that when a box contains 50 lbs. of stone, and not exceeding 75 lbs., a fine of 500 lbs. of coal be imposed. When it contains 75 lbs., and not exceeding 100 lbs., a fine of 1,000 lbs. of coal be imposed. When a box contains 100 lbs. or more of stone the box would be docked.'

## COMPANY'S STATEMENT.

During the inquiry the Company submitted a statement relating to its operations during a number of years past, which the Board considered of sufficient importance to embody in full in the report. This statement covers many pages and contains many important statistical calculations. The statement is headed 'Losses in Operation,' and is intended to show, as the opening paragraph indicates, 'that the Company cannot continue to operate under conditions which have prevailed for the past three years and four months is manifest from the statements which are herewith submitted.'

In the Company's statement it was claimed that deficits on its operations since 1906 amounted in the aggregate to \$299,690.17. The statement also sets forth the cost of the coal, the selling price and the difference between the same respectively since 1906. For the year 1909 (four months) the cost of coal is herein given as \$2.95 and the selling price \$2.50 per ton, being a net loss of 39 cents. 'There is no other operation in Nova Scotia,' the Company observes, 'where the cost of production is within 50 to 95 cents per ton of the foregoing figures, and it is plain that this Company is handicapped to such an extent with an abnormally high cost of mining and comparably low average selling price that to carry on in this untenable position will quickly result in disaster. There is no hope for the property under these adverse



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terms.' The statement also enumerates various accidents and other occurrences as being among its experiences during the past twenty years. 'Add to these disasters,' comments the Company, '22 strikes, and it must be admitted that in mining each year there are contingencies to provide for, the expense of which cannot be avoided. The contingent account in mining is never closed.'

The Board found that the accuracy of the figures given in this statement was not seriously called into question by counsel for the employees, and that indeed it is not likely that they are open to question. The leading purpose, it said, of the cross-examination by counsel for the employees was to show, if possible, that some of the losses in the operation of the mine were due to defects in management, but in the judgment of the Board not much that was definite in this regard was elicited, but even if this were so, it would not in the Board's view diminish in the slightest degree the gravity of the situation. 'Springhill is a town of some 6,000 or 7,000 people, which has been brought into existence almost entirely as the result of the mining operations of this Company and its predecessor. The closing of these mines would mean very largely destruction of valuation at Springhill and a great depopulation of the town. It would mean also a serious loss to the provincial revenues. Operations in this mine cannot be carried on as economically as in most of the mines in Cape Breton or even those on the mainland.'

'Under these circumstances it seems to your Board unreasonable and impracticable that the employees should ask or expect higher rates of remuneration under existing conditions. The price of coal has fallen in large and important contracts as compared with last year when a net loss resulted. The figures for five months of the present year indicate that the loss for 1908 is likely to be very much greater.'

'Under these circumstances, your Board cannot help recognizing that the only rational policy to be pursued by all parties concerned is one of conciliation and forbearance in order that this large and important industry may not be compelled to cease operations with most far-reaching and disastrous consequences to all, including the business men of the town. Heavy losses have been already entailed by twenty-two strikes which have exhausted the energies and wasted the resources of the Company. In the judgment of the Board, the present is not a time to agitate for changes, but rather a time a common effort should be made to improve the situation and secure the permanence of industry.'

In what the Board described as a careful review of the whole situation and all the surrounding circumstances attending the history of the mine during the past twenty-six years during which it has been under the control of the present Company, the Board expressed the view that it might tend to allay long-standing friction and secure a better state of feeling between the Company and the employees if a change could be made in the methods of management.

#### MANAGEMENT OF COMPANY.

'Your Board saw tokens during the somewhat lengthy investigation of the matters in dispute that unpleasant feelings, if not distinct hostility, existed between a large number of employees and the management. It would perhaps be invidious to attempt to place the responsibility for this, but the Board feel it their duty to bring this state of affairs to the attention of the directors of the Company in a formal manner by means of this report.'

'This Board recommends the directors to make a careful investigation into this unpleasant feature of existing relations with the hope that they may be able to adopt such a policy or make such changes as will prevent the possibility of these unfortunate conditions prevailing in the future.'

'Your Board, although conscious of having endeavoured to give their best consideration to all matters touching the welfare of both the Company and its employees,



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are yet painfully sensible that small results are likely to flow from any immediate recommendations they make, unless, indeed, it shall result in such a change in existing conditions as will obliterate the unfortunate consequences of long-standing differences.'

## NOTE BY MR. E. B. PAUL.

The foot note appended to the report and signed by Mr. E. B. Paul is as follows:

'With most of the facts stated in the above I concur, but in respect of some of the recommendations made, I feel compelled to dissent.

'1st. I think the recognition of local union No. 469 by the Company would result in allaying friction and tend generally to a better understanding between the management and the employees. I think the employees should have the right to organize under any conditions and regulations which suit them best. So long as such organization contains no provisions or obligations which conflict with our laws, provincial or general.

2nd and 3rd. I am not disposed to disagree with the recommendations in respect of these two items submitted to the Board. I believe in a schedule of rates, and that operations would be carried on more smoothly and satisfactorily if such were in operation at Springhill, as well as other coal mines in Nova Scotia, though I do not mean by this that higher rates should be imposed than are at present paid.'

## REPORT OF BOARD.

The text of the findings of the Board is as follows.—

In the matter of the Industrial Disputes Investigation Act and of the Cumberland Railway and Coal Company, Limited, employer, and certain employees, members of Local Union No. 469 of the United Mine Workers of America, employees.

The Board composed of Mr. E. B. Paul, M.P.P., representing the employees; Mr. Charles Archibald, appointed by the Minister to represent the Company, and Mr. Justice Longley, Chairman, met pursuant to notice at Springhill on the 22nd day of June, 1909.

The employees, Local Union No. 469, U.M.W., were represented by three men, Seamen Terris, D. C. Matheson and Chesley Betts.

The Company was represented by D. Stewart, assistant general manager; D. D. Mathews, assistant manager, and C. J. Allbon, official measurer.

The usual course was taken of suggesting an amicable adjustment of the difficulties between the parties concerned, but this proved entirely hopeless, the representatives of the Company stating that they were not prepared to accept in any form, any of the propositions propounded by the employees in their application for conciliation.

In making application for this Board of Conciliation four specific demands were made, as follows:—

1. Recognition of the union.
2. To determine the standard weight of a box of coal for the purpose of forming a basis from which the rate per ton shall be arrived at.
3. To establish a schedule of prices for all classes of work in and about the mines.
4. To establish a docking system.

While there are the special and specific matters which are to be considered and adjudicated upon by the Board, the circumstances surrounding the whole inquiry seem to require a general statement in order that the position should be fairly understood.



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Within the past two years three Boards of Conciliation have previously been appointed to make and have made investigations as to the difficulties between this Company and their employees, and issues involved in some of the matters now submitted for our consideration have already been more or less investigated and reported upon by previous Boards, but under circumstances somewhat differing from those now existing. In the case of the Board of which Mr. Justice Graham was Chairman which held inquiries in May and July, 1907, the parties appeared before the Commission without counsel and consequently without that searching and complete inquiry which could be reached when experienced advocates were employed to prove matters fully. Subsequent to the report made by Mr. Justice Graham and his associates a long strike took place, continuing for thirteen weeks until October, 1907.

During the progress of the strike a Board of Conciliation consisting of Judge Patterson, Mr. P. S. Archibald and Mr. R. R. Murray was appointed, and after making some progress the Company declined to go on with the matter, on account of the continuance of the strike, and Mr. Archibald withdrew from the Board. The strike, as far as this Board has been able to gather, resulted in failure on the part of the strikers, and they resumed work, and immediately after the Company issued a general order by the general manager on or about the 26th of October, in the following terms:—

‘The men may resume work on the distinct understanding that they must abide by the award of the Board of Conciliation and that there cannot be any increases in wages in the district covered by the award now or later. The president and directors of this Company are firm in their determination, as they have been all along, that the men must return under exactly the same terms and conditions as existing when they quit on the 31st of July against the ruling of the Board of Conciliation. The Company cannot afford to make, and will not make, advances on the abnormally high rates now being paid. The cost of production must not be increased. Let this be plainly understood, and the men can go back to work.’

Shortly after resuming work on November 21, 1907, the employees applied for a further Board of Conciliation and Investigation to adjust differences between the Company and their employees, Judge Patterson, Mr. Hiram Donkin and Mr. R. B. Murray constituting such a Board, which met on the 8th of January and heard evidence and reported on the 18th of January. On this occasion, the Company was wholly unrepresented, and did not appear before the Board, and a report was sent in by the Board based entirely upon such evidence and representations as were submitted by the employees.

When this Board met on the 22nd of June no counsel appeared as has been already represented, and the employees had declined up to that time to have counsel heard. But after spending some hours in presenting their case and finding the Company present and prepared to go into all matters now submitted for consideration, the representatives of the employees concluded that it would be necessary to have counsel in order to properly submit their case, and an adjournment was asked in order that counsel might be obtained and instructed. On meeting again on the morning of the 23rd., Mr. C. R. Smith, K.C., of Amherst, appeared on behalf of the employees, and asked for a further adjournment of one week in order that he might have ample opportunity to prepare himself for the due and effective presentation of the case on behalf of the employees. Mr. H. McInnis, K.C., of Halifax, appeared then as counsel for the Company, and agreed to this proposition of adjournment. The Board accordingly adjourned until Thursday, the 1st day of July, when it resumed meeting at 2 o'clock p.m. The whole case was then thoroughly submitted in ample form. Witnesses were produced on both sides and subjected to thorough cross-examination, and this Board is of the opinion that the matters in dispute between the employer and



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employees, some of which are of long standing, have been more completely and satisfactorily probed than on any of the previous occasions.

(1) *Recognition of the U. M. W. of A.*

The first matter to which the Board had its attention directed was a demand on behalf of Local Union No. 469 to receive recognition by the Company as a labour organization embracing the greater number of its employees. The circumstances as submitted to the Board are as follows: Since 1879, Pioneer Lodge of the Provincial Workmen's Association has been in existence at Springhill. Some intimation was made in the course of the evidence that for a period of a year or two this lodge was not in regularly organized existence but practically for thirty years this was the recognized labour union at the mines. Subsequently Mechanics' Lodge was also organized at Springhill under the auspices of the P. W. A., and the two lodges containing different classes of men were the recognized labour unions in connection with this mine. The organizations were officially recognized by the Cumberland Railway and Coal Company practically during all the period in which the Company has been operating the mine, for twenty-six years.

In the last days of 1908 the Pioneer and Mechanics' Lodges ceased to exist.

By a referendum vote it was determined by a large majority to cease to work under the P. W. A. and to affiliate with the United Mine Workers of America, and immediately after Local Union No. 469 was organized, and so far as the evidence goes it already embraces 1,000 or 1,200 of the employees of the mines. Upon its formation official notification was sent to the general manager of the C. R. & C. Company announcing the dissolution of Pioneer and Mechanics' Lodges and the formation of Local Union No. 469, U. M. W., and demanding recognition.

On the 15th of January, 1909, the general manager in reply intimated that he was advised that litigation has been begun at Sydney by the Grand Council of the P. W. A. in reference to the affairs of Pioneer Lodge, and until advised as to the result of the litigation the Company merely acknowledged the receipt of their communication.

In April, 1908, the local union made a long representation to the general manager of the Company asking for a meeting with the management to discuss the situation and thereby avoid friction. The general manager declined to receive any deputation from the union, but did receive a delegation from the miners who, while really a committee from the local union, did not declare themselves as such, and business was transacted with this delegation.

On behalf of the employees it was urged that the constitution and by-laws of the United Mine Workers was better adapted for the purposes and interests of an organized body of miners than the Provincial Workmen's Association; that its methods of working were more favourable to pleasant relations between the management and the men, and the sundry advantages derived from connection with a body having a large membership extending over various portions of the continent of North America. It was also claimed by the employees that men employed in any large mining enterprise had a perfect right to choose for themselves what form of organization they should adopt.

To this the Company reply that they are prepared to receive individuals or committee of the employees in all matters pertaining to employment; that no man or men have been refused a hearing by the board of management unless they came as a committee from the local union of Mine Workers.

The Company contends that it should not be required to encourage and help support a foreign labour organization, the main body of whose members are working to produce coal to supplant Nova Scotia product in Canadian markets the demoralization of its business and possible annihilation of its property. The Company further



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say that owing to the depression in the United States last year and this, a determined effort has been and is being made by American operators to capture the St. Lawrence trade and large quantities of American coal have been sold to the extent of depriving Nova Scotia companies of their rights in important Canadian markets. The result of this intrusion is to make local competition in the province keener and depreciate values to such a degree as to either compel Nova Scotia operators to cease producing or force them to make a reduction in wages. The cost of producing coal in the United States is only one-third of the cost of putting coal f.o.b. cars in the deep mines and heavy pitching seams on the mainlands of Nova Scotia, and the result, if this invasion continues will be that Nova Scotia operators will either close down or the cost of production be reduced.

Objection is also made by the Company to the fact under the constitution of the U. M. W. all employees of the mine must become members of the same, except those having power to hire or discharge men, and under this provision their underground managers and all other officers in connection with the management of the Company, including examiners, will have to belong to the union, whereas under the provisions of the P. W. A. only those occupying non-official positions in the mines were eligible, the advantage of which latter provision is that the officials being apart from the union are in a position if necessary to fire the boilers, operate pumps, fans, engines, &c., make necessary repairs and guard the property of the Company and Crown until work is resumed in the case of a strike. It is claimed that the P. W. A. is under the legislative control of the Province, while the U. M. W., as a body, have neither standing nor property in Canada and are not under legislative control.

The Board has given due consideration to the representations made on both sides in this matter with a view of suggesting such action as will be most mutually advantageous to both parties and to the interests of the industry in general.

It is quite possible that recognition of Local Union No. 469, U. M. W., by the C. R. & C. Company would at the present moment remove one unpleasant source of friction between the parties. It is, however, by no means clear to your Board that any right exists on the part of the Department of Labour to enforce upon any company operating a mine or any other industrial enterprise a compulsion to give official recognition to any labour organization formed among its employees. Undoubtedly, under certain circumstances, such a recognition results in convenience of various kinds in the transaction of the delicate relations which must always subsist between employer and employees in enterprises involving large numbers of the latter. From all the information which your Board has been able to obtain, however, it does not appear that such recognition is by any means a universal rule in such cases. Certain large employers of labour have refused and continue to refuse to recognize any labour organization and transact their business with individual employees or committee representing them.

Section 26 of the Industrial Disputes Investigation Act provides 'that the Board's recommendation shall deal with each item of the dispute and shall state in plain terms, &c., what in the Board's opinion ought or ought not to be done by the respective parties concerned.'

In the present instance, this Board does not feel, under all the circumstances, that it ought to definitely express an opinion that the Company should recognize Local Union 469 of the U. M. W. It may or may not be desirable that the Company should do this, but it seems to your Board that in view of the representations made it would be exceeding the just limits of its functions to express any definite opinion as to what the Company ought to do in this regard. We think it ought to be left to the judgment and discretion of the Company as to how far it will officially recognize an organization having its central authority outside the province, and largely under the control of interests that may be at some time in acute competition with the interests of the Company.



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(2) *To Determine the Standard Weight of a Box of Coal for the Purpose of Forming a Basis from which the Rate per Ton Shall be Arrived at.*

The counsel representing the employees intimated that this matter having been dealt with fully and presumably satisfactory to the men in the report of the Board of Conciliation of which Judge Patterson was Chairman in January, 1908, they did not desire to re-open the matter. The Company declined to accept this view, the matter having been raised distinctly by the employees in their request for a Board of Conciliation and the report made by Judge Patterson and his associates having been based entirely upon ex parte testimony which did not fully and fairly present all sides of the question, they desired to avail themselves of the present opportunity of having the matter thoroughly investigated in order that a more just and satisfactory presentation of the case be made to the Department.

The Board deeming it in every way desirable that these long-standing matters of difference between the parties should be subjected to the fullest inquiry concurred in the view, that evidence could not be properly excluded, and therefore they permitted the Company to state its case fully and hear all that could be urged in support of the contentions of the employees as embodied very fully in the report of Judge Patterson and his associates in January, 1908.

The history of the relations between the parties in this regard are fully set forth in the statement made by the Company and attested to under oath by one of its officials. As it seems impossible to condense this statement, it is submitted in full. The only additional light thrown by the employees in respect of this statement is that it was not accepted by the members of Pioneer Lodge, although assented to and signed by the Grand Master and Grand Secretary of the P. W. A.

## STANDARD WEIGHT OF A BOX OF COAL.

The agreement existing concerning filling of mine cars or boxes from the 13th of January, 1893, is as follows:—

Memo. of agreement made this 13th day of January, 1893, between the management of the Cumberland Railway and Coal Company and those employed in the Springhill Collieries of said Company, in respect of filling of boxes.

1. That all boxes be properly filled level full at the face.
2. That the management see that all boxes are properly filled level full at the face.
3. That the 'sender' or 'senders' of any box or boxes the contents of which are below six inches of level full on reaching the bank be fined 20 cents for short measure for each box.
4. That the bankhead foreman and checkweighman determine all deductions for short measure.
5. That this agreement be adhered to until scales are placed on the bankheads.
6. That this agreement be registered in the Commissioner of Mines Office, Halifax, N.S.

On behalf of the management,

(Sgd.) ALEX. MCINNES, Manager.  
C. HARGREAVES, Assistant Manager.  
A. D. FERGUSON, Underground Manager No. 1.  
M. BLUE, Underground Manager No. 2.  
W. D. MATTHEWS, Underground Manager No. 3.

On behalf of the employed,

(Sgd.) JAMES MURPHY,  
JOHN FLETCHER,  
MATTHEW MCPHERSON,  
JOHN MCVICAR,  
THOMAS PIGOTT,  
Committee of Pioneer Lodge.



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This undertaking, refiling of mine cars, covers a period of fifteen years.

In accordance with this agreement, on each underground examiner's report the following query is to be found:—

'Are all places worked to best advantage for large coal and mine cars filled level full at the faces and chutes?'

#### SCALES.

Pioneer Lodge, No. 1, P.W.A., made a demand, March 2, 1907, for scales, as follows:—

The above lodge demands the weigh scales placed on the banks of Nos. 2 and 3 slopes of Springhill Collieries, without delay.

(Sgd.) EDWARD BRADLEY, Conv.  
WM. WATKINS, Secy.

To J. R. COWANS, Esq.,  
General Manager.

Replied to, viz.:—

Springhill, N.S., March 13, 1907.

WM. WATKINS, Esq.,  
Secy. Pioneer Lodge No. 1, P.W.A.,  
Springhill, N.S.

Dear Sir,—Referring to your notice of the 2nd inst., for weigh scales, I would advise you that scales will be installed on both bankheads as requested, with as little delay as possible.

Yours very truly,

(Sgd.) J. R. COWANS.

Another communication from Pioneer Lodge, as follows:—

Springhill, N.S., March 16, 1907.

J. R. COWANS, Esq.,  
General Manager.

DEAR SIR,—I beg to inform you that the above lodge demands the scales installed on No. 2 and 3 banks by June 1, 1907.

Believe me, yours faithfully,

(Sgd.) EDWARD BRADLEY,  
Conv. Management Committee.

Accordingly, weigh scales were installed during the strike of 1907, and duly inspected on the 12th of November, 1907, by Mr. J. J. Chisholm, Assistant Government Inspector of Weights and Measures, and certificates of inspection posted in each weigh house. The check weighmen were invited to take their places in scale house and check the scale weights. For some reason or other they failed to do so.



SESSIONAL PAPER No. 36

On the 16th November, 1907, the members of Pioneer Lodge were requested, viz.:

Springhill, N.S., November 16, 1907.

WM. WATKINS, Esq.,  
Secy. Pioneer Lodge, No. 1, P.W.A.,  
Springhill, N.S.

Dear Sir:—

*In the matter of Scale.*

In order to prevent any possibility of dispute regarding weights if your check weighmen do not check scale weights, the Company will put on sworn weighers immediately.

Yours very truly,  
(Sgd.) J. R. COWANS.

No notice was taken by Pioneer Lodge or check weighmen, and certified, sworn weighers were brought from Halifax, to check and certify to all gross and tare weights from the 21st to 30th November, inclusive.

The members of Pioneer Lodge or miners were particularly requested to come together and agree between themselves to name a date or dates covering the nine days between and including the 21st and 30th of November, to reach the standard average weight of contents of mine cars at each mine, with a notification that if the miners did not interest themselves in the proposed change of their own demand, the Company would take it for granted that the miners were satisfied that the total returns for the nine days above mentioned should be taken to arrive at a standard base weight at each mine.

The gross and tare weights were computed by weighers checked by office staff, rechecked and affirmed on oath by sworn weighers.

Further, in order that there might be no question as to the accuracy of the weights, during the every day practice of nine consecutive days' hoisting, an independent audit was made on the weights by competent accountants outside the Company's service altogether, and these returns fixed the base weights rate at No. 2 mine of 1,843 lbs., and at No. 3 mine 2,009 lbs., as per following statement of independent audit:—

Weights of coal raised from the Cumberland Railway and Coal Company's mines Nos. 2 and 3, from November 21 to 30 inclusive, 1907, exclusive of coal loaded on Company tallies by Company hands.

No. 2 MINE.

Date.		Number Loaded Mine Cars.	Gross Weight.	Number Empty Mine Cars.	Weight Empty Mine Cars.
November	21 . . . . .	964	2,676,225	92	85,050
"	22 . . . . .	1,146	3,169,425	85	78,675
"	23 . . . . .	1,030	2,853,400	54	49,800
"	25 . . . . .	1,118	3,087,225	53	48,725
"	26 . . . . .	1,133	3,144,250	116	106,750
"	27 . . . . .	615	1,699,200	99	91,350
"	28 . . . . .	1,201	3,306,325	80	72,973
"	29 . . . . .	1,231	3,389,475	32	29,150
"	30 . . . . .	1,094	3,019,925	3	275
		9,532	26,345,450	614	565,225

Total gross weight, lbs. . . . .	26,345,450
Average gross weight mine car. . . . .	2,764
Average weight empty mine car. . . . .	921
Average net weight per mine car. . . . .	1,843



No. 3 MINE.

Date.		Number Loaded Mine Cars.	Gross Weight.	Number Empty Mine Cars.	Weight Empty Mine Cars.
November	21.....	938	2,778,050	70	65,650
"	22.....	836	2,463,659	49	47,050
"	23.....	911	2,703,175	37	35,425
"	25.....	1,070	3,154,425	66	61,975
"	26.....	947	2,801,500	140	133,775
"	27.....	524	1,536,450	52	49,175
"	28.....	1,156	3,423,475	70	67,675
"	29.....	1,144	3,397,300	33	31,400
"	30.....	932	2,769,125	9	8,725
		8,458	25,027,150	527	500,850

Total gross weight, lbs.. . . . . 25,027,150  
Average gross weight per mine car.. . . . 2,959  
Average weight empty mine car.. . . . 950  
Average net weight per empty car.. . . . 2,009

We hereby certify that we have verified all the figures shown above, and the average net weights are correct.

(Sgd.) E. B. FAIRBANKS,  
Manager Canadian Bank of Commerce.  
J. H. TURNER,  
Manager Bank of Nova Scotia.  
F. G. MOREHOUSE,  
Principal Public Schools.

Springhill, N.S., December 18, 1907.

I certify that the attached is a true copy of statement compiled by Messrs. Fairbanks, Turner and Morehouse of weights of coal raised from Nos. 2 and 3 mine, November 21 to 30, inclusive, 1907, and empty mine cars.

(Sgd.) D. STEWART.

Declared before me at Springhill, in the county of Cumberland, this 19th day of December. A.D. 1907.

(Sgd.) JOHN M. HUNTER, J.P.,  
County of Cumberland.

Important notice to miners was posted, viz.:—

IMPORTANT NOTICE TO MINERS.

Commencing to-day, the 2nd December, miners of their own demand will fill by the ton instead of by measure.

Please remember that properly filled mine cars will net profitably to the sender on the scales, and load accordingly.

Instruct your loaders not to send short filled cars.

By order,  
(Sgd.) C. HARGREAVES,  
Manager.

Springhill, N.S., December 2, 1907.



SESSIONAL PAPER No. 36.

To pave the way for an amicable settlement the members of the lodge were addressed as follows:—

SPRINGHILL, N.S., December 2, 1907.

WM. WATKINS, Esq.,  
Secy., Pioneer Lodge, No. 1, P.W.A.,  
Springhill, N.S.

DEAR SIR,—As requested by the members of your lodge, weigh scales were installed on the banks of Nos. 2 and 3 mines, and duly inspected on the 12th of November, 1907, by Mr. J. J. Chisholm, Assistant Government Inspector of Weights and Measures, and certificates of inspection hung up in each weigh house.

On the 16th ult., you were requested, viz.:—

‘In order to prevent any possibility of dispute regarding weights, if your check weighmen do not check scale weights, the Company will put on sworn weighers immediately.’

As your check weighmen did not take their places in the weigh-house, sworn weighers were put on, and have checked and certified to all gross and tare weights from the 21st to 30th of November, inclusive.

It is the desire of this Company that the change from payment by measurement to payment by weight be made in actual practice to avoid unnecessary friction, and also to conform with the terms of the Company's ultimatum, under which the men resumed work after the recent strike.

The Company, therefore, asks the miners to agree amongst themselves and name one, two, three or more work days between and including the 21st to the 30th ult. to arrive at a standard basis of the average contents of mine cars. The average net weights of the day or days selected by the miners during the period when sworn check weighers certified to gross and tare weights to be fixed as a standard at both mines from which to establish base rates to change from payment by measurement to payment by weight.

The Company considers that to make the change in actual practice is the fairest and most liberal treatment that can be accorded its miners in this matter.

If the miners do not consider the question of the change made at their own demand and choose the days for computation by which the results duly certified may be obtained, the Company will take the total returns during the period named and arrive at a standard base weight at each mine, certified and affirmed on oath.

It will be necessary for the miners to decide upon dates during the term of sworn inspection, not later than the 6th inst., in order to make up the accounts.

Yours very truly,

(Sgd.) J. R. COWANS.

The matter stood in abeyance for some time, when the managing committee of Pioneer Lodge suggested to the management that a box of coal be tested from each mine.

The committee was addressed as follows, on this proposal:—

Springhill, N.S., February 20, 1908.

Messrs. MCPHERSON, *et al.*,  
Committee, Pioneer Lodge, No. 1, P.W.A.,  
Springhill, N.S.

SUBJECT—SCALES.

DEAR SIRs,—As to your proposal that we test a box of coal from each mine, I would advise that we had an experience in respect to filling of boxes in 1893, and it was far from satisfactory. In the first place, the box or car referred to was indiffer-



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ently filled. Then the driver made his way to the bottom of the slope with the car at a gait which was calculated to shake the contents down as low as possible in transit. Everybody's hand seemed to have been against this box, with the result that it arrived on bank six inches short of level full. Any practical miner will admit that a box properly loaded level full at the face will not shrink six inches in transit to bank with any kind of fair treatment. We have no intention of making further tests of this sort.

But the matter of scales is not a subject for test, but one of practice.

The understanding was when scales were placed on the bankhead at the demand of the men that the change be made without additional cost to the Company. In other words, the Company and miners were to change from payment by measure to payment by weight in the average weight of contents of mine cars in actual practice.

The lodge was asked to send check weighmen to check the weights, and its failure to do so compelled the Company to put on sworn weighers.

Nine consecutive working days output was taken and the average return fixed the standard weight at each mine.

The Company considers the subject disposed of fairly and finally, but, in order to show the men that it deals equitably and to disabuse the minds of all concerned of any intention to take an undue advantage in the matter of change from payment by measure to payment by weight, is willing to give the miners another opportunity of selecting days' output to arrive at a standard for each mine.

As all coal has been weighed since November 21 to date, inclusive, the Company suggests that the miners do respectfully entreat His Honour the Lieutenant Governor of Nova Scotia to select for them any number of working days during his term to compute the average weight of contents of mine cars, both mines, and thus determine the standard weights, providing of course that such results finally dispose of the question, and that there will be no appeal from the conclusion later.

If the miners do not avail themselves of this opportunity the standard weights fixed by nine consecutive days' hoisting under sworn inspection will stand.

The above offer is for immediate acceptance.

Yours very truly,

(Sgd.) J. R. COWANS,

Again, the Company, in its desire to dispose of the matter amicably, suggested that Premier Murray select the dates.

The open letter in the press read as follows:—

The Company says, 'Let Premier Murray select the dates.'

TO THE EDITOR OF 'THE TRIBUNE,'  
Springhill, N.S.

DEAR SIR,—When I was in Halifax last week the officials of the Mines Department made inquiries about standard weights. I went over with them, what they were already familiar with, as to how the official tests had been conducted, and further stated to them, a fact of which they were not aware, and that I had made the men the following offer:—

Springhill, N.S., Feb. 20, 1908.

'As all coal has been weighed since the 21st November to date inclusive, the Company suggests that the miners do respectfully entreat His Honour the Lieutenant Governor of Nova Scotia to select for them any number of working days during this term to compute the average weight of contents of mine cars both mines and thus determine the standard weights, providing of course that such results finally dispose of the question and that there will be no appeal from the conclusion later.



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'If the miners do not avail themselves of the opportunity the standard weight fixed by the nine consecutive days' hoisting under sworn inspection will stand.'

I pointed out, what is the fact, that clauses 1 and 2 of the agreement of the 13th January, 1893, on file in the Mines Office in reference to the method of filling boxes had not been changed. The clauses of the agreement are:—

1. That all boxes be properly filled level full at the face.
2. That the management see that all boxes are properly filled level full at the face.

We now make this further offer: That the Honourable Mr. Murray, the Premier of the province, should select on behalf of the men any day or days or the whole of them from the 15th November to date, March 26, to arrive at a base weight at each mine. The question is so simple that it should resolve itself. There is so much coal hoisted in so many cars. Divide the number of cars into the total weight of coal, and the result is the average weight of contents of cars—and standard weight for each mine.

The Company pays out the same amount of money distributed over the senders of cars. Miners who load full measure make a gain on each car. Miners who load slack and below the standard show loss. The scales and not the Company tell the miner how he is loading, the difference is between loading by measure and by weight, and the miner who loads well earns well, as he is paid for all he fills.

(Sgd.) J. R. COWANS,  
General Manager.  
Cumberland Railway and Coal Co.

Springhill, N.S., March 30, 1908.

But all to no purpose; the members of Pioneer Lodge would not consent to change from payment by measure or box to payment by weight in practice, as was understood when the demand for scales was made.

The question remained in *statu quo* until Grand Master McNeil and Grand Secretary Moffatt came to Springhill on behalf of the men to discuss with the management the possibility of arriving at a standard weight satisfactory to all parties.

Present at meeting, Saturday, April 4, 1908: John Moffat, S. B. McNeil, Kent Foster, Daniel Ross, Duncan Blue, Alex. Wilson, Alex. E. McPherson, Samuel D. Beaton, grand officers and committee Pioneer Lodge; and J. R. Cowans, C. Hargreaves, W. D. Matthews, W. Lorimer, D. McSaveney, C. Allbon, D. Stewart, company management.

Mr. Moffatt insisted that the only means of settlement which would satisfy the men was to dump coal from mine cars on bankheads and reload with shovel cars level full and weigh for standard.

The management contended that the standard weights were determined by sworn weighers and independent audit weights by competent outside accountants and fixed.

After a lengthy conference, nothing was settled, but an appointment was made to meet the grand officers and committee again Monday at 10 o'clock. Monday, Grand Officers McNeil and Moffatt and Alex. E. McPherson, convener of committee, came down to the office as agreed.

The management offered and asked that Grand Master McNeil go to the scales on one bankhead for one hour and Grand Secretary Moffatt on the other bankhead, weigh contents of mine cars as they passed over the scales and fix a standard each mine themselves according to the average weights of an hour's run or more each mine at their option. Grand Officers McNeil and Moffatt declined the offer, but were willing to take a number of mine cars loaded level full of dry coal on the bank at each mine for a standard weight as the men desired. This the management assented to with an earnest desire to dispose of the question to the satisfaction of the men.



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On the way to the bankhead, Messrs. McNeil and Moffatt were asked to take charge of the proceedings, select any rake or run of coal that they might consider a fair sample of the run of the mine, order the cars stopped and the contents dumped on the floor, reloaded by shovel level full, contents weighed and cars retared, to arrive at standard weight both mines.

On arrival at No. 2 bankhead, Messrs. McNeil and Moffatt, after consultation with check weighman, decided to weigh coal of certain tallies, said to be the lightest in the mine. The management offered no objections. They set aside two rakes of their own accord set aside the cars containing wet coal, selected 13 cars of dry coal, had contents dumped on the coal floor, cars reloaded by members of Pioneer Lodge, with shovels, level full, and the tops of the cars planed with a straight edge so that no coal would stand above the sides. These cars were then weighed by the grand officers and convenor of committee, coal dumped, and cars tared by them also. The same method was adopted on No. 3 bankhead.

The grand officers and convenor of committee took the matter in hand, selected cars containing dry coal only, had coal dumped on the floor, cars refilled with shovels, and every precaution taken that no coal was loaded above the sides of the cars. Took gross and tare weights themselves, and the same afternoon computed weights and fixed standard at No. 2 at 1,907 and No. 3 at 1,908. Mr. Stewart, assistant to general manager, checked weights on behalf of the Company.

All the papers in this connection are attached.

SPRINGHILL, N.S., April 4, 1908.

Meeting, committee Pioneer Lodge with Grand Officers McNeil and Moffatt and Company management.

John Moffatt, S. B. McNeil, Kent Foster, Daniel Ross, Duncan Blue, Alex. Wilson, Alex. E. McPherson, Samuel D. Beaton, grand officers and committee Pioneer Lodge, and J. R. Cowans, C. Hargreaves, W. D. Matthews, W. Lorimer, D. McSaveney, C. Allbon, D. Stewart, Company management.

Mr. MOFFATT.—*Re* difficulty scales and schedules.

SCALES.—Dump coal from cars on bank and load cars level full and weigh for standard.

COMPANY.—The whole question is, we contend and prove by scales, that the standard is right. The men contend that the cars are overloaded.

The foregoing memos. were made by me at and during time of meeting between committee of Pioneer Lodge, Messrs Moffatt and McNeil of the P. W. A. and officials of the Company on Saturday, 4th April, 1908.

(Sgd.) D. STEWART.

No. 2 mine.—Tally 32, 1,875; 32, 1,825; 9, 1,825; 32, 1,775; 54, 1,825; 9, 1,825; 9, 1,725; 47, 1,875; 47, 1,775; 37, 1,725; 49, 1,925; 49, 1,825; 54, 1,775. Total, 23,575.  
Add 13,000 lbs. on beam for gross.

(Sgd.) D. STEWART,  
" JOHN MOFFATT,  
" S. B. MCNEIL.

April 6, '08.—

No. 2 mine, tares, 900, 900, 900, 900, 950, 900, 925, 900, 900, 925, 900, 875, 900.  
Total, 11,775.

(Sgd.) D. STEWART,  
" JOHN MOFFATT,  
" S. B. MCNEIL.

April 6, 1908.—



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23,575
13,000
<hr/>
36,575
11,775
<hr/>
1,324,800 (1907)

## No. 2 MINE.

Alex. E. McPherson, convenor of Pioneer Lodge committee, was present when weighing was done. Moffatt sat in chair directly in front of scales dial. McPherson and myself on either side and McNeil directly behind Moffatt. We carefully weighed, read over weights, and signed each others slips; that is, Moffatt, McNeil and myself.

Scales balanced perfectly at zero before weighing of loaded and empty cars.

(Sgd.) D. STEWART,

Springhill, N.S., April 6, 1908.

No. 3 mine, car numbers.—1, 1,950; 2, 1,850; 3, 1,725; 4, 1,800; 5, 1,850; 6, not weighed; 7, 2,000; 8, 1,950; 9, 1,975; 10, 1,925; 11, 1,975; 12, 2,025; 13, 1,925; 14, 1,975. Total, 24,925.

(Sgd.) D. STEWART,  
 “ JOHN MOFFATT,  
 “ S. B. MCNEIL,

April 6, '08.

No. 3 mine, tares.—1, 950; 2, 951; 3, 850; 4, 975; 5, 925; 6, not weighed; 7, 925; 8, 950; 9, 900; 10, 925; 11, 975; 12, 975; 13, 925; 14, 950. Total, 12,175.

(Sgd.) D. STEWART,  
 “ JOHN MOFFATT,  
 “ S. B. MCNEIL,

April 6, '08.

24,925
13,000
<hr/>
37,925
12,175
<hr/>
1,325,740 (1908.)

## No. 3 MINE.

Alex. E. McPherson, convenor of Pioneer Lodge committee, was present when weighing done, also James Matthews as well as Moffatt, McNeil and myself; same procedure as at No. 2.

Scales balanced perfectly at zero before weighing of loaded and empty cars. Ball on beam at 1,000 lbs. to facilitate weighing, as dial alone has not capacity to indicate gross weight.

(Sgd.) D. STEWART,

Springhill, N.S., April 6, 1908.

Every effort was made by the Company to effect the change fairly and amicably, and to arrive at standard average weight of contents of mine cars in ordinary prac-



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tice. The Company offered to take the average weight of nine consecutive days hoisting each mine, either one or more of all the days at the men's option from November 21 to 30 inclusive, 1907, when all coal was weighed by sworn weighers.

Then the Company suggested to the miners to respectfully ask His Honour the Lieutenant Governor of Nova Scotia to select any number of working days during the term when sworn weighers were engaged to average weights of contents of mine cars and determine standard weights.

Then, again, the Company further offered that Premier Murray be requested by the men to select any day or days from the 15th November, 1907, to March 26, 1908, a period of four months and eleven days, to arrive at the average standard weight of contents of mine cars.

No notice was taken of any of these offers of the Company to the men to dispose of the questions at issue, and it remained for the Grand Officers McNeil and Moffatt to come to Springhill to learn from the men that the only means of settlement which would satisfy them was to dump coal from cars on bank, load some cars level full, weigh contents and average for standard. All this was done to the satisfaction of the grand officers who fixed standard at No. 2 as 1,907 and No. 3 at 1,908, and these fixed weights have been in effect since April 9, 1908. This closed the matter definitely. Miners have since accepted their pay without demur.

### (3) *Schedule of Rates.*—

As already intimated, the counsel for the employees was not disposed to press this branch of their claim, inasmuch as it had already been dealt with by the Board presided over by Judge Patterson. Evidence, however, was given on behalf of the employees in respect of this schedule, and this Board deems it necessary to deal with the matter fully.

The arguments put forward on behalf of the employees is that a schedule of rates is desirable, as it tends to prevent misunderstanding and enables each workman, even though previously inexperienced in respect to the computation of payments, to understand in advance precisely what he is to receive for any given work. Evidence was given that such a schedule of rates is in operation in other mines with satisfactory results. The employees submitted a schedule of rates which they desired the Company to consider, not necessarily to adopt in precise terms the rates set forth in such schedule, but to make it the basis of consideration and discussion with the Company with a view of agreeing to such rate as would be mutually satisfactory. The schedule submitted was substantially the same as that which had been submitted to Judge Patterson and in the main approved by that Board.

The Company upon being notified of the findings of Judge Patterson's Board promptly declined to accept the same, upon the ground that the adoption of such a schedule would result in a substantial increase of wages which the Company could not accept owing to the fact that it was already losing money and because it was in violation of the terms under which the men resumed work on the 28th of October, 1907, which have been already quoted. In the statement of the conditions of re-employment it was emphatically stated: 'The Company cannot afford and will not make any advances in the abnormally high rates now being paid.'

The Company maintain that there is and has long been in operation a schedule of rates at the Springhill mines which were in operation on the 28th of October, 1907, and which have been recognized and accepted ever since. It is quite true that this schedule is not absolute nor fixed in all particulars, but it is claimed by the Company that a fixed schedule of rates in Springhill is unworkable. With thick and thin seams of more or less varying nature, with irregular dips of the measures, local disturbances of faults and heavy superincumbent pressure, it is impossible to arrive at a fixed scale of wages for such variations in the conditions under which the mines



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are operated. Rates as fixed are entered and appear on the payrolls, and every man's rate is given in his monthly statement.

Where conditions are exceptional or appear to be, men make demands on the Company for extra considerations, many which are not always supported by existing conditions. A schedule would leave unsettled so many rates to be covered by local conditions and ability and willingness of the men that it would be almost worthless.

That the absolutely fixed rate would be impracticable is fairly apparent from clause 55 of the schedule of rates now submitted, which declares, 'change in the state of coal, faults and other unusual conditions to be dealt with as they arise.'

Notwithstanding the fact that a fixed schedule of rates seems under the circumstances to be extremely difficult to obtain, the Board are not disposed to differ from the general proposition that a schedule of rates when practicable is eminently desirable, and they would have been glad if the Company could have been induced to consider the scale submitted with a view of so modifying its claims as to make it conform to the condition that there should be no increase in the wages now and hitherto paid, but this the Company did not seem disposed to do.

To adopt the present schedule seems to this Board to be out of the question, as it was stated openly by the solicitor for the Company that its adoption would involve an increase of 40 per cent on wages paid to those working underground and 28 per cent to those working overground. Nothing is clearer than that the Company is not now in a position to admit of any increase whatever in the costs of production:

(4) *To establish a Docking System.*—

The system of fines and docking stone existed in the working of Springhill mines dating back to 1890. Its introduction led to a strike which lasted nine weeks, at the conclusion of which an agreement was entered into between the Company and a committee of Pioneer Lodge in which the following clause appears: 'Respecting the agreement in the matter of stone dockage it is agreed that the maximum of stone be twenty-four pounds per box. If over twenty-four pounds a fine of 20 cents to be imposed, and if over forty-five pounds the box to be forfeited.'

This system remained in force for ten years, when at the instance of Pioneer Lodge a rearrangement of rates for docks and fines was submitted to a local board of arbitrators formed by mutual agreement between the Company and the lodge, who, on September 21, 1900, determined as follows: 'All boxes containing 60 pounds of stone or upwards to be docked. All boxes containing 40 pounds of stone or upwards to be fined 20 cents.' This system has been in operation ever since.

The men now ask and desire a modification of the system upon several grounds. First, that owing to the conditions prevailing in certain parts of the mine, the amount of stone incurring a fine and dockage is too small. Second, that the docking system itself works in some instance injustice. Third, that as the operation in many parts of the mine is conducted through chutes, the timbering of which is liable to get out of repair and lead to the falling of stone, that men are liable to be docked for stone in the boxes and cars for which they are in no way responsible. Fourth, that the Company's screens have been changed from  $\frac{3}{4}$ -line screen to  $\frac{1}{2}$ -inch mesh, which discovers more small stone.

Evidence was given of some instances in which men were docked for a large proportion of cars sent up within a given period, and their remuneration for their labour thus reduced to an extremely small amount. A table was submitted containing a statement of the docks and fines imposed in No. 2 and No. 3 slopes respectively in the years 1906, 1907, 1908, which is herewith attached.

Docks and fines for 1908 represent approximately 21,000 tons of coal, and after making liberal allowance for the actual weight of stone found in the boxes, the Company will have appropriated some 20,000 tons of coal, which, if paid for, would repre-



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sent at least \$8,500 additional wages to the miners, in respect of this coal that they have been compelled to mine for nothing.

No. 2 Slope.	1906.		1907.		1908.	
	Docks.	Fines.	Docks.	Fines.	Docks.	Fines.
January .....	261	142	116	57	273	320
February .....	203	118	204	91	223	375
March .....	237	174	184	141	237	218
April .....	151	79	254	182	231	211
May .....	125	36	267	174	404	308
June .....	59	46	150	155	418	348
July .....	113	62	188	142	282	190
August .....	111	98	Strike.		329	193
September .....	103	64	"		311	193
October .....	131	79	"		412	183
November .....	121	67	217	91	574	424
December .....	118	63	247	247	425	598
	1,733	1,028	1,827	1,260	4,219	3,561

No. 2 Slope.	Docks.	Fines.	Docks.	Fines.	Docks.	Fines.
January .....	911	178	270	42	837	406
February .....	635	109	990	173	835	195
March .....	530	138	600	144	1,163	144
April .....	319	93	613	188	994	72
May .....	247	93	656	123	1,013	144
June .....	380	76	503	61	1,266	264
July .....	367	74	682	51	1,058	202
August .....	350	96	Strike.		1,076	110
September .....	478	118	"		1,425	229
October .....	585	93	"		1,365	114
November .....	119	18	397	49	1,467	184
December .....	158	15	910	49	1,798	548
	5,079	1,101	5,621	831	14,297	2,582

	Docks.	Fines.	Docks.	Fines.	Docks.	Fines.
Grand totals .....	6,812	2,129	7,448	2,091	18,516	6,143



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Also statement for five months of 1909 in No. 3 mine:—

## STATEMENT OF DOCKS AND FINES IN NO. 3 MINE.

Number.	Tally.	1909. Month.	No. of Boxes.	Docks.	Fines.
34.....	Tally .....	January.....	1,173	103	49
37.....	" .....	" .....	681	152	15
65.....	" .....	February....	636	54	12
73.....	" .....	" .....	51	38	1
31.....	" .....	March .....	224	43	19
37.....	" .....	" .....	1,091	225	20
73.....	" .....	" .....	213	55	10
34.....	" .....	April .....	1,068	124	33
37.....	" .....	" .....	1,056	232	24
43.....	" .....	" .....	324	81	10
57.....	" .....	" .....	505	88	15
12.....	" .....	May .....	1,046	85	10
34.....	" .....	" .....	594	115	12
65.....	" .....	" .....	453	82	8

Evidence was given that in some of the slopes the timbering was out of repair, and that the split booms which are placed against the roof of the mine are often insufficient in strength and lead to the fall of stone from the roof.

Of course, it is unthinkable that a system should prevail whereby a man was fined or docked for stone in the boxes which had been placed there by means and agencies over which he had no control, and your Board, therefore, felt it necessary to go into this matter most thoroughly and exhaustively.

The answer of the Company to these statements may be stated in order.

First, they say, which, of course, is incontrovertible, that it is of the utmost importance to the Company and its employees that coal free from stone and impurities be marketed. Inspection on coal has become so rigid that it is a common occurrence to have coal inspected that is thrown back on the Company's hands. In view of the importance of shipping clean coal, the Company has expended at both bankheads the sum of \$58,000 on remodelling bankheads and equipping with steel shaking-screens and picking-belts. Forty-five men are employed at both bankheads simply picking stone out of the coal as the coal is carried by the picking-tables from the screens to the railway cars.

The local Board of Conciliation, in July, 1907, determined that two cents extra per box had been allowed for removing stone and to compensate miners for separating stone in coal and also in loading in pillar working. In close and narrow work stone is paid for at the rate of five cents per inch, with the understanding that the stone be removed in mining or loading and not sent to the bank with the coal. In No. 2 mine where the seam is clean and free from stone the rate per mined car for cutting and loading is 39 cents. Where coal is streaked with bands of stone, 42 cents per car is paid. In No. 3 mine, where no local stone is encountered, 40 cents per car is paid. Where local stone partings are in evidence, 43 cents, 46 cents, 48 cents and 52 cents per car is paid for mining and loading and separating the stone from the coal, which goes to show that miners working under the disadvantage of having to handle local stone partings are fully compensated for their trouble in extra price per car to cover the time employed in separating the stone from the coal in mining and loading.

Dealing with the dockage for the five months of 1909, the Company show that out of 222,080 cars, 8,004 were docked and 4,004 subjected to fines, equivalent to 360 docks and 194 fines.

It is claimed by the Company that good wages have been made in what is called the local stone districts, and that in No. 2 mine where stone exists in the seam the



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average rate per man per day for the month of April, 1909, was \$3.07. In No. 3 mine, where all the trouble arose over local stone, the average rate per man per day for April was \$2.90.

Second, in respect of the claim made by the employees that the slopes get out of repair and cause the falling of stone in the chutes, the Company declare that formerly it was the custom of the miners to repair their own chutes and keep them in order, but of late years in most places they have refused to do this. The Company made contracts with the men that they should repair their own chutes; the lodge refused to allow the men to do so, though the men were willing and the Company offered to pay extra for it. The Company have therefore been compelled to employ shiftmen to repair the chutes, and it is manifest that as these men cannot always be at all the chutes that they cannot be kept in as good condition as if they were cared for by the cutters themselves. The Company declare that where the miners repair the chutes themselves no trouble in respect of docks occurs.

It is not easy for your Board to appreciate fully the reasons which have induced the lodge persistently to resist the application of this system of miners repairing their own chutes, which would seem to apply a remedy to the complaint now made that these chutes are not infrequently out of repair and lead to the falling of loose stone.

Third, the Company say that it is compelled to pay for all the stone under 45 pounds, which is removed from the picking tables and that this amounts in the aggregate to nearly as much as is gained by the fining and docking process.

Fourth, in certain portions of the mine and in respect of coal sent up by certain miners scarcely any docking occurs. The fining and docking is applied to certain special workings and to certain men. In respect of a single instance where one man had been docked a large percentage of boxes sent up it was shown by the assistant manager of the mine that this coal had not been in the chutes at all, and therefore, not subject to the risk of having loose stone fall from the roof into the chute.

What recommendation should be made by the Board in respect of the fining and docking system is a matter which involves great delicacy and difficulty. In respect to the operation of the mines generally, we do not think that the docking system is at present working unfairly or results in any palpable injustice to the miners. In some few sections of the mine, owing to the character of the chutes, it is possible that the system now in vogue may in some instances work injustice. The most effective remedy in the judgment of the Board would be for the miners in those special districts to assume the care of the chutes through which they work.

The employees urge that the docking system entirely cease and that fines only be imposed as a penalty for excessive stone, and they urge that the quantity of stone resulting in a fine be raised to 150 pounds per box.

In view of the necessity of maintaining the standard quality of coal for market the Board feel some reluctance in undertaking to recommend absolutely the abolition of the system of docking, and in any case the raising of the amount to 150 pounds instead of 60 pounds for either docking or fining would, we fear, tend to the depreciation of the coal and lead to greater carelessness in mining. It would be extremely difficult to apply to the whole mine a system of fines or docking which would only be specially applicable to certain parts of the mine, and not applicable to all. The management state that where there is satisfactory evidence that there has been an increase of stone in the box due in any way to the falling of loose stone from insufficient timbering, an allowance is made, but the evidence in support of this must be clear.

The only recommendation which the Board can make in this respect is that in view of the additional stone now found in working the mine, as compared with that found when the present docking system was established, and also in view of the introduction of the half-inch mesh screen in place of the three-quarter-inch long screens, which retains a larger quantity of stone; that the system be based somewhat



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on the value of the box, which differs according to the conditions under which it is mined. Instead of the present system, we recommend that when a box contains fifty pounds of stone and not exceeding seventy-five pounds, a fine of 500 pounds of coal be imposed. When it contains seventy-five pounds and not exceeding 100 pounds, a fine of 1,000 pounds of coal be imposed. When a box contains 100 pounds or more of stone the box should be docked.

The Board have now dealt with all the special matters specifically presented to them. They feel, however, that their work would scarcely be done unless they devoted a little attention to certain serious considerations which were elicited by the investigation.

The Company, for reasons of its own, has taken the responsibility of submitting to the Board in a public manner and for public use a detailed statement of their present financial condition and of the results of the operation of the mine for a period of 15 years. They also embody in this statement the amount of wages paid for mining a given quantity of coal at the present time as compared with its cost 15 years ago. This statement has, in the judgment of the Board, such an important bearing upon the whole situation at Springhill that we have thought it best to embody it in this report.

LOSSES IN OPERATION.

That the Company cannot continue to operate under conditions which have prevailed for the past three years and four months is manifest from the statements which are herewith submitted:—

The deficits are as follows:—

1906.. . . . .	\$ 77,715 45
1907.. . . . .	156,992 17
1908.. . . . .	22,004 62
1909 (four months).. . . . .	42,977 93
	<hr/>
	\$299,690 17

The cost of coal and selling price and difference in these years are, viz.:—

Year.	Cost of Coal.	Selling Price.	Loss.
	\$ cts.	\$ cts.	Cts.
1906.. . . . .	2 80	2 60	20
1907.. . . . .	3 17	2 66	51
1908.. . . . .	2 91	2 74	17
1909 (four months).. . . . .	2 95	2 56	39

There is no other operation in Nova Scotia where the cost of production is within 50 to 75 cents per ton of the foregoing figures, and it is plain this Company is handicapped to such an extent with an abnormally high cost of mining and comparably low average of selling price that to carry on in this untenable position will quickly result in disaster. There is no hope for the property under these adverse terms.

In presenting these statements it may be said that there was an accident in No. 3 mine in 1906, a strike in 1907, but press into this Company's experience of the past 20 years the following accidents:—

- A disastrous explosion in 1891.
- Loss of one mine by fire and subsequent flooding of workings.



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Destruction of two bankheads and surface plants by fire.  
Cob-heating or heating in waste workings No. 2 mine.  
Explosion in No. 3 mine or heating in waste workings.  
Explosion of boiler in battery No. 2 mine (surface).  
Total destruction of hoisting engines No. 2 mines.  
Surface fires and other casualties which affected output.

Add to these disasters 22 strikes, and it must be admitted that in mining each year there are contingencies to provide for, the expense of which cannot be avoided.

The contingent account in mining is never closed.

That the business of coal mining has been unprofitable in Springhill must be admitted from the following memo. *re* cost of coal, selling price and the differential in profit and loss from 1894 to 1909 (4 months) inclusive:—

Year.	Cost of Coal.	Selling Price.	Difference.	
			Gain.	Loss.
	\$ cts.	\$ cts.	Cts.	Cts.
1894.....	1 55	1 58	3	.....
1895.....	1 64	1 52	.....	12
1896.....	1 64	1 63	.....	1
1897.....	1 60	1 51	.....	9
1898.....	1 63	1 56	.....	7
1899.....	1 67	1 72	5	.....
1900.....	2 43	2 44	1	.....
1901.....	2 51	2 60	9	.....
1902.....	2 20	2 43	23	.....
1903.....	2 49	2 62	13	.....
1904.....	2 60	2 45	.....	15
1905.....	2 44	2 50	6	.....
1906.....	2 80	2 60	.....	20
1907.....	3 17	2 66	.....	51
1908.....	2 91	2 74	.....	17
1909 (four months).....	2 95	2 56	.....	39

There were in the past fifteen years and four months seven years of slight gains and eight years and four months of heavier losses.

During the period from 1899 to 1903, when there were profits, two small dividends, one of 3 per cent and another of 2½ per cent on the capital stock of \$2,000,000 were paid. (And only these two small dividends have been paid in the twenty-six years of the Company's existence). The earnings were put back into the property to provide better equipment and development of the workings, with an earnest desire to benefit the Company and the employed, and with a degree of expectation of obtaining results in the future, which have certainly not been realized.

Since 1906 no expenditure has been made for betterments. The Company has not had means for improvements or extensions, and has had great difficulty in financing to meet current expenditures, as the figures submitted verify.

COAL VALUES HAVE DECLINED.

That this Company cannot grant any advance or further concessions in these or any other demands may be determined not only from the fact that the Company has been losing money in its operations for several years, as the statements will show, but that the average selling price of coal has declined to a marked extent this year.

The Intercolonial railway, one of the Company's largest customers, only awarded this Company 48,000 tons of coal, one-half the usual supply, at a reduction of 25 cents per ton f.o.b. cars at Springhill Junction.



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The Canadian Pacific railway forced a deduction of 12 cents per ton, which with increased freight rate for British over Norwegian ships (excluded from carrying coastwise after 1st July) makes a further reduction of 15 cents per ton, and with 5 cents additional cost of discharge, equals a total reduction of 32 cents per ton in all, on this the largest contract which the Company holds.

The foregoing reduced contracts came into effect 1st July, which will still further reduce (bring down) the average selling price and (still further) increase loss in operation.

In the United States, where the bulk of the culm is exported, prices rule so low this year that it was necessary in order to secure part of this business to accept an offer 15 cents per ton under last year's price. The cost of transportation also by British instead of Norwegian register on this coal will still further reduce the net f.o.b. price 15 cents per ton, or a total of 30 cents per ton reduction on export trade to the United States.

If the telegraphic reports in the press are correct as to the joint action of the Senate and Congress, the duty on all coal (including slack or culm) will be fixed at 50 cents a ton. This Company sold the greater part of its culm in the New England states under an existing duty of 15 cents a ton. If this duty is increased under the Payne Tariff Bill to 50 cents a ton on all coal, including culm, our export trade to the United States will be killed, and there is not sufficient market in Canada accessible to this Company to take the large portion of culm that it produces.

The government of the United States, at the instance of the coal operators, will thus completely debar Nova Scotia coal from the United States market. The United States coal operators have captured a large part of the coal orders in Montreal that belong to Nova Scotia products, and now, to crown all, the United Mine Workers' Association seek to tie to a United States chariot wheels the employees of every mine in Nova Scotia, and thus have the industry more absolutely at the control of the United States operators and workmen who are now working under agreements.

Is it any wonder that the operators of Nova Scotia view with alarm this combination of all United States coal interests to control their business and feel it their duty in their own interests, as well as in the interest of the province, to resist to the utmost such far-reaching and powerful foreign interests united against them.

It is submitted that the government of Nova Scotia, which depends for the maintenance of its public service upon coal duties, and every good citizen who has no personal interest at stake, ought to stand with the coal operators in resisting the invasion of this foreign combination.

If the American government exclude Nova Scotia coal, American operators set out deliberately to capture the markets which belong to Nova Scotia mines in Canada, and the American unions control our miners, all that will be left to the operators will be the mines without markets, excluded as they are by tariff from the United States, driven from their own markets in the St. Lawrence by 'dumped' coal which is carried by the railways under cost, and their workmen subject to be called out on strike (sympathetic or otherwise) at the dictation of their foreign masters.

Every important contract this Company has closed this year has been at a reduction. American coal and American competition is crowding Cape Breton and Pictou coals out of the St. Lawrence and other markets into the home or provincial markets, which makes local competition all the more aggressive and has the effect of depreciating values.

As this Company was not making but losing money when prices were maintained, it must necessarily go from bad to worse financially now that prices are declining, and it cannot concede any advance or make any concessions whatever which will tend to increase the cost of production. It is simply out of the question to consider further demands from the men.



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Springhill is a very expensive operation, the most costly in the province, with its deep mines, average hoist 3,500 feet, seams pitching from 18 degrees to vertical, and over present workings 2,000 feet of superincumbent pressure.

Pumping, as high in spring and fall as  $4\frac{3}{4}$  tons of water to one of coal, and a costly system of ventilation.

The coal is highly bituminous, cross-fractured, and consequently friable, especially in the steep measures, producing a larger proportion of small than any other coal in the province. It is running half screened and half culm, over  $\frac{1}{2}$  inch square mesh openings.

Culm is exported at a low price to the United States, which reduces the average selling rate so much below the cost of production that the Company has been losing money heavily in its operation for three years, as the statements will show.

Statement showing marked increases in amount of wages paid annually, Mines Department, and output from 1895 to 1908, inclusive.

Year.	Wages.	Output.
	\$ cts.	Tons.
1895 .....	377,239 36	375,778
1896 .....	379,445 34	405,042
1897 .....	273,121 45	302,581
1898 .....	324,968 89	340,669
1899 .....	367,864 91	369,269
1900 .....	492,955 49	428,777
1901 .....	602,426 43	411,214
1902 .....	684,015 64	469,575
1903 .....	778 405 88	468,446
1904 .....	874,621 21	505,804
1905 .....	674,073 70	476,247
1906 .....	789,813 47	428,610
1907 .....	684,435 35	338,857
1908 .....	837,067 13	450,292

This Company carries all its old employees. No man has been discharged for advanced years. All aged employees are provided for as long as they present themselves for work, and all crippled and disabled employees are found employment at suitable work.

In Report of Commission, appointed under chapter 16, Acts 1907, entitled 'An Act respecting Old Age Pensions and Miners' Relief Societies,' statistics as to number and age of men employed in the coal mines of Nova Scotia are, viz.:—

Name of Mine.	Under 20.	20 to 30.	30 to 40.	40 to 50.	50 to 60.	60 and over.	Total.
Cumberland Ry. & C. Co.....	249	489	406	239	91	54	1,528
Minudie .....	7	29	21	13	5	1	76
Strathcona.....	17	22	29	10	2	4	84
Joggins.....	26	42	27	23	17	7	142
Chignecto .....	22	48	31	15	9	6	131
Acadia Coal Co.—							
Acadia Mine.....	31	106	55	45	25	9	271
Albion Mine .....	43	104	90	36	28	12	313
Thorburn Mine.....	35	103	38	27	30	10	263
Drummond.....	138	296	186	111	73	36	835
Allan Shaft .....	34	101	46	26	20	7	234
Inverness .....	202	103	40	5	1	.....	351
N. S. S. & Co.....	577	316	181	68	28	7	1,207
Dominion Coal Co.....	2,000	1,183	516	224	79	13	4,015
	3,376	2,942	1,686	842	438	166	9,450



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The above table plainly shows that there is in this employ a very marked larger proportion of elder men than in any of the other Companies; and farther that they are looked after.

## ABSENTEES.

That high wages are not conducive to steady work and maintenance of output may be gathered from the following statements of absentees from work, underground and overground, each mine, and on the surface for January, February, March, April and May of the current year, and to 12th June:—

## ABSENTEES—JANUARY, 1909.

	No. 2.	No. 3.	Surface.	Total.
Jan. 1 . . . . .	New Year's.	Idle.		
2 . . . . .	Idle.	Idle.		
4 . . . . .	49	55	24	128
5 . . . . .	41	50	14	105
6 . . . . .	47	127	17	191
7 . . . . .	33	89	20	142
8 . . . . .	35	58	33	126
9 . . . . .	35	61	29	125
11 . . . . .	26	40	11	77
12 . . . . .	23	46	18	87
13 . . . . .	41	64	16	121
14 . . . . .	32	44	24	100
15 (pay day) . . . . .	44	62	30	136
16 . . . . .	103	185	72	360
18 . . . . .	55	48	20	123
19 . . . . .	57	54	31	142
20 . . . . .	64	76	23	163
21 . . . . .	54	76	28	158
22 . . . . .	56	71	19	146
23 . . . . .	75	90	24	189
25 . . . . .	Delaney's	funeral.		
26 . . . . .	34	40	6	80
27 . . . . .	34	52	11	97
28 . . . . .	35	48	26	109
29 . . . . .	41	74	17	132
30 (pay day) . . . . .	39	85	29	153
	1,053	1,595	542	3,190
Average . . . . .	45	70	24	139



ABSENTEES—FEBRUARY, 1909.

	No. 2.	No. 3.	Surface.	Total.
Feb. 1 . . . . .	50	80	27	157
2 . . . . .	76	125	37	238
3 . . . . .	91	110	29	230
4 . . . . .	45	60	29	134
5 . . . . .	65	67	32	164
6 . . . . .	48	74	27	149
8 . . . . .	34	51	8	93
9 . . . . .	41	58	15	114
10 . . . . .	41	59	19	119
11 . . . . .	49	73	28	150
12 . . . . .	49	48	15	112
13 (pay day) . . . . .	48	46	44	138
15 . . . . .	48	53	36	137
16 . . . . .	42	50	20	112
17 . . . . .	46	48	32	126
18 . . . . .	44	45	23	112
19 . . . . .	44	41	16	101
20 . . . . .	40	38	21	99
22 . . . . .	45	34	16	95
23 . . . . .	79	55	18	152
24 . . . . .	86	57	19	162
25 . . . . .	143	152	42	337
26 . . . . .	40	48	22	110
27 (pay day) . . . . .	60	67	24	151
	1,354	1,539	599	3,492
Average . . . . .	57	64	25	146

ABSENTEES—MARCH, 1909.

	No. 2.	No. 3.	Surface.	Total.
March 1 . . . . .	51	60	27	138
2 . . . . .	59	94	26	179
3 . . . . .	63	74	23	16
4 . . . . .	41	99	26	166
5 . . . . .	109	94	32	235
6 . . . . .	73	80	22	175
8 . . . . .	48	83	24	155
9 . . . . .	206	163	30	399
10 . . . . .	45	78	33	156
11 . . . . .	55	74	24	153
12 . . . . .	46	54	37	137
13 (pay day) . . . . .	57	73	24	154
15 . . . . .	91	44	28	157
16 . . . . .	53	100	20	173
17 . . . . .	83	99	34	216
18 . . . . .	74	96	27	197
19 . . . . .	69	61	36	166
20 . . . . .	77	97	31	205
22 . . . . .	70	73	21	164
23 . . . . .	67	77	31	175
24 . . . . .	73	63	32	168
25 . . . . .	61	67	34	162
26 . . . . .	62	63	16	141
27 . . . . .	68	60	17	145
29 . . . . .	72	77	24	173
30 . . . . .	44	50	20	114
31 (pay day) . . . . .	59	57	32	148
	1,876	2,110	725	4,711
Average . . . . .	69	78	27	174



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## ABSENTEES—APRIL, 1909.

	No. 2.	No. 3.	Surface.	Total.
April 1.....	103	139	55	297
2.....	94	11	45	250
3.....	97	105	31	233
5.....	85	61	34	180
6.....	51	61	18	130
7.....	66	61	14	141
8.....	50	60	8	118
9.....	Idle.	Good Friday.		
10.....	39	71	26	136
12.....	15	37	9	61
13.....	20	56	16	92
14.....	25	50	21	96
15 (pay day).....	40	56	22	118
16.....	52	113	34	199
17.....	84	122	34	240
19.....	33	56	15	104
20.....	63	65	25	153
21.....	72	73	22	167
22.....	45	69	23	137
23.....	51	57	16	124
24.....	60	76	19	155
26.....	67	41	27	135
27.....	45	41	18	104
28.....	29	52	15	96
29.....	52	59	23	134
30 (pay day).....	37	52	23	112
	1,357	1,744	593	3,712
Average .....	55	70	25	148

## ABSENTEES—MAY 1909.

	No. 2.	No. 3.	Surface.	Total.
May 1.....	108	155	42	305
3.....	102	100	29	231
4.....	70	70	21	181
5.....	89	93	34	216
6.....	90	86	23	199
7.....	71	83	25	179
8.....	81	84	24	180
10.....	83	58	34	175
11.....	63	77	21	161
12.....	61	74	11	148
13.....	62	64	14	140
14.....	47	Idle.	22	69
15 (pay day).....	Idle.	Idle.		
17.....	69	Idle.	35	104
18.....	108	132	37	277
19.....	61	74	33	168
20.....	62	67	37	166
21.....	59	73	29	161
22.....	87	Idle.	34	121
24.....	Idle.	Victoria Day.		
25.....	110	79	35	224
26.....	61	49	25	135
27.....	56	49	18	123
28.....	61	65	15	141
29 (pay day).....	Idle.	Idle.		
31.....	60	48	17	125
	1,721	1,600	615	3,936
Average.....	75	80	26	171



ABSENTEES—JUNE 1909.

		No. 2.	No. 3.	Surface.	Total.
June	1 .....	131	85	23	239
"	2 .....	81	80	17	178
"	3 .....	Idle.	.....	.....	.....
"	4 .....	69	96	13	178
"	5 .....	71	88	5	164
"	7 .....	76	70	15	161
"	8 .....	86	102	18	206
"	9 .....	62	68	17	147
"	10 .....	60	67	10	137
"	11 .....	60	51	7	118
"	12 .....	91	Idle.	16	107
		787	707	141	1,635
Average.....		78	78	14	163

NUMBER DAYS LOST MONTHLY FOR 1909.

	No. 2.	No. 3.	Surface.	Total.
January.....	1,053	1,595	542	3,190
February.....	1,354	1,539	599	3,492
March.....	1,876	2,110	725	4,711
April.....	1,365	1,744	593	3,712
May.....	1,721	1,600	615	3,936
June 12.....	787	707	141	1,635
				20,676

AVERAGE EMPLOYED OFF WORK DAILY.

January.....	139
February.....	146
March.....	174
April.....	148
May.....	171
June 12.....	163

There were, therefore, 20,676 days work lost by employees in this period, or an average of 159 men off work daily, equal to 10 per cent, of the total employed.

The absentees vary from 9 per cent off work between pay days to 20 per cent after pay days.

This indifference to work on the part of the employees must be attributed to too much money, too easily earned. No other class of artisans do or can afford to lose so much time.

This utter neglect of duty on the part of employees falls most heavily on the Company in reduced output, increased cost, and correspondingly poor returns, and is largely responsible for the deplorable results in operation, which have obtained for the last three years and four months.



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## ADVANCE IN WAGES.

There were two general advances in wages, one of 10 per cent, on 1st May, 1900, and another of 12 per cent on 1st January, 1901, 22 per cent in all, conceded all employees.

Besides these two general increases on all earnings since 1899, concessions after concessions have been wrested from the management at the point of the pistol, till wages have soared in the several departments to the impossibility of producing results financially under which the Company can exist.

	Per cent.
Miners' earnings have advanced.. . . .	60 to 70
Engineers' (stationary) earnings have advanced.. . . .	60
..Firemen's (stationary) earnings have advanced.. . . .	50
Engineers' (railway) earnings have advanced.. . . .	62
Conductors' (railway) earnings have advanced.. . . .	51
Firemen's (railway) earnings have advanced.. . . .	52
Brakemen's (railway) earnings have advanced.. . . .	41
Machinists' and blacksmiths' earnings have advanced.. . . .	34
Unskilled labour earnings have advanced.. . . .	33
Stores have advanced.. . . .	40
Timber has advanced.. . . .	40

And on top of all these advances the cost of screening, picking and preparation required for the coal to meet the demand has doubled in recent years.

The question is continually asked, why are the coal companies of Nova Scotia not making money? The answer, so far as this Company is concerned, is obvious.

In 1908 the extra amount paid in wages over 1899-1900 to meet the two general advances of 10 per cent and 12 per cent to 22 per cent was \$147,034.23, equivalent to 40-61-100 cents per ton on shipments.

Since May 1, 1900, this Company has paid 138 employees on the 22 per cent advance or bonus \$1,184,949.75, besides the many concessions which have been obtained by employees, until to-day the miners are working shorter hours, performing less work, and earning the highest average rates of any miners in the province.

The cause mainly responsible for the disastrous results of the past few years is the astounding fact of the unprecedented increase in average miners' wages since 1895, and the incredible falling off in the average daily production per man, as follows:—



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Year.	Average daily earned by miners per day.	Production of coal per miner per day.
1895.....	\$1 83	5.52 tons.
1896.....	1 95	5.40
1897.....	1 83	5.89
1898.....	1 92	5.83
1899.....	1 90	5.30
1900.....	2 27 10% advance.	4.80
1901.....	2 51 22% "	4.16
1902.....	2 63 "	4.75
1903.....	2 88 "	4.46
1904.....	2 98 "	4.26
1905.....	2 97 "	4.53
1906.....	3 18 "	4.37
1907.....	3 14 Three months strike.	4.10
1908.....	3 00 Trade dull in summer months due to mild open winter and financial and in- dustrial depression.	4.10
1909—		
January.....	2 81	3.74
February.....	2 96	3.67
March.....	2 92 Output curtailed by local trouble and ir- regular work on part of employees.	3.84
April.....	2 93	3.92
May.....	2 97 19,041 days work have been lost in these five months.	4.01

Miners' wages have increased no less from lowest to highest average than 74 per cent, while in return for these enhanced wages miners have of their own design restricted output to the ruinous extent of 38 per cent per man per day, which is practically a reduction of 60 per cent in production. Sufficient in itself to drive any Company to the wall.

For \$1.35 average increase in wages daily, miners are giving 2.22 tons less in return in production in the same seams with more superincumbent pressure to assist in mining, improved machinery for handling the coal taken, barring accidents, from miners as it is made.

When the average daily wage was only \$1.83 the production per miner was the highest, viz., 5.89 tons. Now, with an average of \$3 the average yield is below four tons

Not only is the Company unable to continue under existing alarming conditions, but the directors insist that there must either be a readjustment of mining rates or a suspension of operations. There is no other alternative. The instructions are definite and will be carried out, due notice of which will be given.

The order reads as follows:—

MONTREAL, June 1, 1909.

J. R. COWAN, Esq.,  
General Manager.

DEAR SIR,—At the meeting of the directors of the Company held in this office on Wednesday, May 26, the application of the U. M. W. for a Board of Conciliation was submitted, claiming recognition of the U. M. W., adjustment of the system of weighing coal, to establish a schedule of prices, and to establish a docking system.



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I submitted to the meeting statements of the results of the operations of the Company for the year 1906, 1907 and 1908, as well as for the four months of the present year, duly verified by the auditors, which I now inclose to you.

It was decided that in view of these statements not only was it impossible for the Company to grant any increase involving greater cost in operation, but if we could not succeed in reducing costs that it would be impossible for the Company to continue business much longer.

This view was materially strengthened by the fact that prices for coal have this year suffered a serious drop from last year's figures, which will inevitably make the position of the Company much more precarious at the end of the year, unless immediate steps are taken to reduce the cost of producing coal; I need not go into details of this; you know that the railway contracts involving over one-half of our sales are lower, I may say much lower, and that small coal is at present a drug in the market, and the prices offered us are ridiculous when the cost of production is considered.

You will see that the Company went behind in those years as follows:—

1906.. . . . .	\$ 77,715 45
1907.. . . . .	156,992 17
1908.. . . . .	22,004 62
1909 (four months).. . . . .	42,977 93
<hr/>	
Total.. . . . .	\$299,690 17

Nothing that I can say can add to the gravity of these figures, any intelligent man can see that no Company however strong can stand such a drain for long.

The Board felt that it was necessary to have these statements laid before the arbitrators, and the men in our employment, so that they would be no longer in ignorance as to the actual position of the Company, and might be able to be prepared to make such sacrifice as are absolutely essential if the Company is to continue business.

In making such reductions I wish to say that the process will start at the top (the Board in fact have already decided to accept no further pay till the position has changed for the better) and that the president will be the first to suffer whatever reduction may be necessary and that others will have to follow suit.

As you are aware, the Company was only kept going through these years by the shareholders subscribing fresh capital in the shape of bonds, which give them a lien on the property, and should the Company fail to pay the interest, as now seem probable, that it will be in their power to foreclose their mortgage, and take the whole concern away from the shareholders, who in that case will lose everything; that the shareholders are by no means all well off is well known to you.

The directors, therefore, gave instructions that these statements should be laid before the Board of Arbitrators and the men; that it was utterly beyond their power to increase costs in any way, and that, therefore, no demands could be considered; that costs must be reduced, and if this was not done the Company would have to suspend operations, and that these instructions be transmitted to you with orders that you report in detail what steps you consider must be taken to give effect to them.

The situation is most serious, but I trust that the good sense of our men (and the ability of our staff) once they are put in full possession of the facts, will enable us to pull through.

I do not intend to enter into recriminations, the situation is beyond that point now, but I would point out to you that the constant succession of strikes and talk of strikes at Springhill have done a great injury, indirect it may be, to Springhill in the eyes of customers and the public generally, and the present situation is the direct result of the demands that have been forced upon us since 1899.



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The inevitable end of Springhill as a mine, and Springhill as a town, if this is continued, it needs no prophet to foretell.

Yours truly.

(Sgd.) H. R. DRUMMOND,  
President.

The Company's statements, certified by Messrs. Macintosh & Hyde, chartered accountants, are respectfully submitted to the Board of Conciliation, and the employed of this Company.

The accuracy of the figures given in this statement was not seriously called in question by the counsel for the employees. Indeed, it is not likely that they are open to question. On cross-examination it was shown that the railway with which the company operates pays a small annual profit by making an arbitrary allowance of 20 cents a ton for all the Company's coal hauled over it to Springhill Junction and Parrsboro, respectively. Without this the road is operated at a loss so far as general public traffic is concerned. These profits counting in the 20 cents a ton paid for the transportation of coal are all taken into account in the operation of the mine. The Company is also carrying on some timbering enterprises which have produced a small annual profit, and these too are taken into account in the figures submitted.

The leading purpose of the cross-examination by counsel for the employees was to show if possible that some of the losses in the operation of the mine were due to defects in management. In the judgment of the Board not much that was definite in this regard was elicited, but even if this were so it would not diminish in the slightest degree the gravity of the situation. Springhill is a town of some 6,000 or 7,000 people, which has been brought into existence almost entirely as the result of the mining operations of this Company and its predecessor. The closing of these mines would mean very largely the destruction of valuations at Springhill and a great depopulation of the town. It would mean also a serious loss to the Provincial revenues.

Operations in this mine cannot be carried on as economically as in most of the mines in Cape Breton or even those on the mainland.

Under these circumstances, it seems to your Board unreasonable and impracticable that the employees should ask or expect higher rates of remuneration under existing conditions. The price of coal has fallen in large and important contracts as compared with last year, when a net loss resulted. The figures for five months of the present year indicate that the loss for 1909 is likely to be very much greater.

Under these circumstances, your Board cannot help recognizing that the only rational policy to be pursued by all parties concerned is one of conciliation and forbearance in order that this large and important industry may not be compelled to cease operations with most far-reaching and disastrous consequences to all, including the business men of the town. Heavy losses have been already entailed by twenty-two strikes, which have exhausted the energies and wasted the resources of the Company. In the judgment of the Board, the present is not a time to agitate for changes, but rather a time a common effort should be made to improve the situation and secure the permanence of the industry.

Your Board fully appreciate that it is not a necessary part of their functions to make suggestions outside of the specific matters referred to them. Nevertheless it does not seem inappropriate for a Board appointed to reconcile differences and secure peace and harmony in connection with a large mining industry to seek to ascertain as far as possible the fundamental causes of differences and misunderstandings and to seek if possible to discover a remedy.

The control and management of this corporation is vested in its officers and directors and under the exclusive control of its shareholders, and no one has a right, it is



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fully conceded, to interfere in any way with its methods of operation; nor would this Board think of making reflections upon its management or call in or question its methods of managing its property. Nevertheless, from a careful review of the whole situation and all the surrounding circumstances attending the history of the mine during the past twenty-six years during which it has been under the control of the present Company, your Board feel that it might tend to allay long-standing friction and secure a better state of feeling between the Company and employees if a change should be made in the methods of management.

Your Board saw tokens during the somewhat lengthy investigation of the matters in dispute that unpleasant feelings, if not distinct hostility, existed between a large number of employees and the management. It would perhaps be invidious to attempt to place the responsibility for this, but the Board feel it their duty to bring this state of affairs to the attention to the directors of the Company in a formal manner by means of this report.

This Board recommends the directors to make a careful investigation into this unpleasant feature of existing relations with the hope that they may be able to policy or make such changes as will prevent the possibility of this unfortunate condition prevailing in the future.

Your Board, although conscious of having endeavoured to give their best consideration to all matters touching the welfare of both the Company and its employees, are yet painfully sensible that small results are likely to flow from any immediate recommendations they make, unless, indeed, it shall result in such a change in existing conditions as will obliterate the unfortunate consequences of long-standing differences.

(Sgd.) J. W. LONGLEY,  
Chairman.

CHARLES ARCHIBALD,  
E. B. PAUL,  
(Subject to foot note.)

## FOOT NOTE BY MR. E. B. PAUL.

With most of the facts stated in the above, I concur, but in respect of some of the recommendations made I feel compelled to dissent.

1st. I think the recognition of local union No. 469 by the Company would result in allaying friction and tend generally to a better understanding between the management and the employees. I think the employees should have the right to organize under any conditions and regulations which suit them best. So long as such organization contains no provisions or obligations which conflict with our laws, provincial or general.

2nd and 3rd. I am not disposed to disagree with the recommendations in respect of these two items submitted to this Board. I believe in a schedule of rates, and that operations would be carried on more smoothly and satisfactorily if such were in operation at Springhill, as well as other coal mines in Nova Scotia, though I do not mean by this that higher rates should be imposed than are at present paid.

(Sgd.) E. B. PAUL.



**XI.—APPLICATION FROM FREIGHT HANDLERS EMPLOYED BY THE  
CANADIAN PACIFIC RAILWAY COMPANY AT OWEN SOUND, ONT.—  
BOARD ESTABLISHED—AGREEMENT CONCLUDED.**

*Application received.*—May 17, 1909.

*Parties concerned.*—Canadian Pacific Railway Company and freight handlers at Owen Sound, Ont.

*Applicants.*—Employees.

*Nature of industry concerned.*—Transportation.

*Nature of dispute.*—Wages.

*Number of employees affected.*—250.

*Date of constitution of Board.*—June 2, 1909.

*Membership of Board.*—Mr. Donald Ross, Barrie, Ont., Chairman, appointed by the Minister in the absence of any joint recommendation from the other members of the Board; Mr. Wallace Nesbitt, K.C., Toronto, Ont., appointed on the recommendation of the employing Company; and Mr. J. G. O'Donoghue, Toronto, Ont., appointed on the recommendation of the employees.

*Report received.*—June 17, 1909.

*Result of inquiry.*—Employees who had declared strike returned to work on applying for Board. Employees later accepted employment on basis of Board's report.

The Minister received on June 17 the report of the Board established to adjust a dispute between the Canadian Pacific Railway Company and longshoremen in its employ at Owen Sound, Ont. In their application for the appointment of this Board the employees claimed that the wages paid were not sufficient compensation for their services nor on a par with the wages paid at other ports on the great lakes for similar work. The matters of difference brought to the attention of the Board were, however, three in number, the first being the question of wages, the second a question of what was described as discrimination, and the third the claim of the employees to be paid fortnightly instead of monthly as at present. The number of employees likely to be affected was stated to be between 250 and 500 as the season advanced. Pending the negotiations between the Company and its employees for a settlement in this matter some 200 longshoremen refused to return to work, but later decided to apply for a Board of Conciliation and Investigation, and thereupon resumed their positions in the Company's employ. Mr. Wallace Nesbitt and Mr. J. G. O'Donoghue, both of Toronto, were appointed members of the Board on the recommendation of the employers and employees respectively, and in the absence of any joint recommendation from Messrs. Nesbitt and O'Donoghue, Mr. Donald Ross, of Barrie, was appointed by the Minister as Chairman.

The members of the Board were unanimously of opinion that it is impossible to suggest any remedy for the so-called discrimination. The Board also found that desirable as it might be in the interests of the employees to have payment fortnightly, the difficulties suggested by the Company in doing this and maintaining a proper system of audit over their extensive system were insuperable.

On the question of wages to be paid the Board advised that there should be an alteration in favour of the men in the rate of wages agreed to by a written contract by each of the men at the beginning of the season. It is remarked in the report that



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'where the men would expect the Company to be bound by a contract to pay a certain wage, they themselves, in all fairness, should abide by a contract which they have entered into; otherwise there can be no confidence in bargains made which are repudiated as soon after as it appears to be in the power or to the advantage of either party to do so.' In the present case the men had agreed to take 15c. per hour for week days and 16c. per hour for night and Sunday work, and 20c. per hour for the handling of grain and coal. The majority of the Board agreed, however, that 17c. per hour for week day work (7 a.m. to 6 p.m.) and 18c. per hour for night (6 p.m. to 7 a.m.) and Sunday work should be paid and accepted, and 23c. per hour for the handling of grain and 25c. per hour for the handling of coal. These figures were slightly higher than in the negotiations between the parties, and higher than the Company stated they would accept, and slightly lower than the men stated they would be content to receive.

In the minority report Mr. J. G. O'Donoghue, member of the Board appointed on the recommendation of the employees, expressed the opinion that the only difficulty in the way of bi-monthly payment of wages was one of bookkeeping and 'that the necessities of the men should not be sacrificed for any such reason.' The evidence before the Board showed, in his opinion, that the cost of living in Owen Sound was much higher than at Midland, Collingwood, Windsor and other points where similar work was performed, yet the wages paid at Owen Sound were much below those paid at these other towns and cities. The season for this class of work was, he urged, about seven months long, and the average wage received by the men during that time probably less than \$300. Mr. O'Donoghue advised that the following rates should be paid: Shedmen, 22c. by day and 25c. by night; grain men, 30c. by day or night, and coal men the same, with double time for all Sunday work.

On June 21 the department was advised that the majority report of the Board in this matter had been accepted by the employees concerned. On June 23 the department was advised that the report of the majority of the Board was accepted by the Company.

## REPORT OF BOARD.

The text of the report of the Board is as follows:—

In the matter of the Industrial Disputes Investigation Act, 1907, and of the dispute between the Canadian Pacific Railway Company, employer, and longshoremen in its employ at Owen Sound, Ontario, employees.

THE UNDERSIGNED, together with Mr. J. G. O'Donoghue, having been appointed as a Board of Conciliation and Investigation under the above Act, held sittings at Owen Sound on the 10th day of June, 1909, and having heard the parties and considered the evidence, beg to report as follows:—

There were three matters of difference brought before the Board, the first, or substantial one, being the question of the wages which should be paid; the second being a question of what was described as discrimination, and the third, the claim by the employees to be paid fortnightly instead of monthly, as at present.

All the members of the Board were of the opinion that it was impossible to suggest a remedy for the so-called discrimination, a view which the employees themselves, after discussion, we inferred concurred in. It seems difficult, if not impossible, to lay down any rule by which there are, say, 100 men seeking the employment of unloading a boat on her arrival, and only 80 required, to avoid the natural desire upon the part of the employer to select those best fitted and capable to perform the work.



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The Board also agreed in the view that desirable as it might be in the interests of the employees to have payment fortnightly, the difficulties suggested by the Company in doing this and maintaining a proper system of audit over their extensive system, were insuperable.

On the question of wages to be paid, the undersigned, the majority of the Board, after weighing the matter carefully under all the circumstances have come to the conclusion that there should be an alteration in favour of the men in the rate of wages agreed to by a written contract by each of the men at the beginning of the season. It is to be remarked that where the men would expect the Company to be bound by a contract to pay a certain wage they themselves in all fairness should abide by a contract which they have entered into; otherwise there can be no confidence in bargains made which are repudiated so soon as it appears to be in the power or to the advantage of either party to do so. The men, also, seemed to have gone on strike in direct violation of the law. So far as these considerations are concerned, the course followed was improper and unwise. The men, however, could have given thirty days' notice and terminated the contract, and the Board have only felt themselves called upon to deal with the evidence as to what, in their opinion, under all the circumstances, and in the present condition of the labour market, would be a proper wage to suggest that the employer should pay and the employee should be content to accept for the various classes of work described.

The men had agreed to take 15c. per hour for week-day work and 16c. per hour for night and Sunday work, and 20c. per hour for the handling of grain and coal.

The majority of the Board have come to the conclusion that 17c. per hour for week-day work (7 a.m. to 6 p.m.) and 18c. per hour for night (6 p.m. to 7 a.m.), and Sunday work should be paid and accepted, and 23c. per hour for the handling of grain and 25c. per hour for the handling of coal. These figures are slightly higher than in the negotiations between the parties the Company stated they would accept, and slightly lower than the men stated they would be content to receive, and the majority of the Board, after anxious consideration of the views of both parties, beg to report that the figures given above are in their opinion fair.

Dated this 15th day of June, 1909.

(Sgd.) DONALD ROSS,  
Chairman.  
WALLACE NESBITT  
For C. P. R.

### MINORITY REPORT.

The text of the minority report of Mr. J. G. O'Donoghue is as follows:—

To the HONOURABLE THE MINISTER OF LABOUR,  
Ottawa.

In the matter of the Industrial Disputes Investigation Act, 1907, and of a dispute between the Canadian Pacific Railway Company, employer, and Longshoremen in its employ, employees.

The men asked for three things: (1) an increase in wages; (2) that they be paid bi-weekly instead of monthly, as at present; and (3) that certain discrimination be discontinued. The last-named complaint was not one that could very well be arranged by any board.

The men, in my view, made out a good case for the change they sought from a monthly to a bi-weekly pay day. The only difficulty in the way of the company is one of bookkeeping, and the necessities of the men should not be sacrificed for any such reason.



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The evidence before the Board was conclusive that the cost of living in Owen Sound is much higher than at Midland, Collingwood, Windsor and other points where similar work is performed. Yet the wages paid at Owen Sound are much below what are paid in these other towns and cities. The following figures show the differences:—

*Shed Men.*

	Day.	Night & Sunday*
Midland.. . . .	30	45
Owen Sound.. . . .	15	16
Collingwood.. . . .	20	20
Windsor.. . . .	25	30
Port Arthur.. . . .	22½	22½*
Hamilton.. . . .	25	25
Toronto.. . . .	25	25
Montreal.. . . .	27½	32½

*Grain Men.*

Owen Sound.. . . .	20	20
Midland.. . . .	30	30
Collingwood.. . . .	30	30
Hamilton.. . . .	25	25
Montreal.. . . .	27½	32½

*Coal Men.*

Owen Sound.. . . .	20	20
Midland.. . . .	30	30
Collingwood.. . . .	30	30
Hamilton.. . . .	25	25
Montreal.. . . .	32½	32½

The evidence disclosed that the men have to be ready for a call at any hour of the day or night, and, though they may respond, say at midnight, to a call, if the boat should not take the dock until noon next day, they got nothing after waiting that length of time on duty.

Nor can they take other work whilst waiting for a call from the Company.

In the Winnipeg Street Railway arbitration, recently concluded, every one, including the members of the Board and the Company officials, conceded that it was a hardship on the men to have to work 16 hours in order to make ten. In this case, apparently, the Canadian Pacific Railway Company sees no hardship in making the men work, perhaps 48 or more hours in order to make 10.

The season appears to be about seven months long, and the average wage received by the men during that time is probably less than \$300. If that is not a starvation wage, then I don't know what is. The men, though living frugally, are no doubt indebted to every butcher, baker, grocer and other tradesman in Owen Sound. These have to suffer as well as the men.

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\* And 2½c. bonus.







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**XII.—APPLICATION FROM ENGINEERS, FIREMEN, CONDUCTORS, BRAKEMEN, BAGGAGEMEN, AND YARDMEN EMPLOYED BY THE GRAND TRUNK PACIFIC RAILWAY COMPANY—BOARD—ESTABLISHED—UNANIMOUS REPORT BY BOARD—AGREEMENT CONCLUDED AND STRIKE AVERTED.**

*Application received.*—June 3, 1909.

*Parties concerned.*—Grand Trunk Pacific Railway Company and engineers, firemen, conductors, brakemen, baggagemen and yardmen in its employ.

*Applicants.*—Employees.

*Nature of industry concerned.*—Railways.

*Nature of dispute.*—Wages and conditions of labour.

*Number of employees affected.*—300.

*Date of constitution of Board.*—June 24, 1909.

*Membership of Board.*—Honourable R. F. Sutherland, M.P., Windsor, Ont., Chairman, appointed on the joint recommendation of the other members of the Board; Mr. F. H. McGuigan, Toronto, Ont., appointed on the recommendation of the employing Company; and Mr. J. G. O'Donoghue, Toronto, Ont., appointed on the recommendation of the employees.

*Report received.*—August 14, 1909.

*Result of inquiry.*—Agreement concluded on all points in dispute. No cessation of work occurred.

The Minister received on August 14 the unanimous report of the Board established in the matter of a dispute between the Grand Trunk Pacific Railway and its engineers, firemen, conductors, brakemen, baggagemen, and yardmen, members of the Brotherhood of Locomotive Engineers, the Brotherhood of Locomotive Firemen and Enginemen, the Order of Railway Conductors and the Brotherhood of Railroad Trainmen.

In the application which was made on May 29 for the establishment of a Board in this matter it was stated by the employees concerned that the differences related to 'the consideration and adoption of schedules of rates of pay and rules governing the service and working conditions of engineers, firemen, conductors, brakemen, baggagemen and yardmen, including provision therein as to the dismissal and promotion of employees; the investigation of the dismissal of employees who, it is submitted, have been wrongfully dismissed; the consideration of the sufficiency of sleeping and eating accommodation furnished to employees, the same being, it is submitted, unclean and improper; the quality of the food provided.' The number of employees affected was stated to be 300 directly and 800 indirectly. Mr. F. H. McGuigan, of Toronto, and Mr. J. G. O'Donoghue, of Toronto, were appointed members of this Board on the recommendation of the Company and of the employees respectively, and on the joint recommendation of Messrs. McGuigan and O'Donoghue the Board was completed on June 24 by the appointment of Hon. R. F. Sutherland, M.P., of Windsor, Ont., as chairman.

In the report of the Board it was stated that a very fair, friendly and conciliatory disposition was displayed on all hands and that the representatives of the employees expressed reasonable confidence in the present officials of the Company and were dis-



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posed to concede that the conditions of their service as regards a number of the matters in dispute have recently been somewhat improved. The Company's officers laid much stress on the fact that as yet the road is in but the constructive stage with the usual accompanying difficulties as to wages, supplies, and general conditions, and that in consequence some of the claims made on behalf of the employees were premature. The report continued: 'After a full hearing and consideration, the matters in dispute were amicably adjusted with the exception of the claim of the employees that 'engineermen detained on their engines, at terminals, two hours or more before commencement or after completion of trip, will be paid for same at schedule rates, such detention to be paid for in addition to mileage run, but to be deducted when computing overtime,' in respect to which a majority of the Board was disposed to agree with the contention of the employees.

'While it appeared that in some cases the food supplied to the employees, the method of serving same, the sleeping accommodations provided, and the general sanitary conditions may not have been entirely satisfactory it also appeared that in a general way these were similar to and on the whole as good as those usually provided in the early stages of railway construction. The Board is of the opinion, however, and would recommend that a regular inspection and report of all conditions of the construction camps, buildings and conveniences of the Company be made by its physicians with a view to better the condition of the employees and secure, if possible, that these be satisfactory in so far as food, lodgings and sanitation are concerned.

'The Board is of opinion that the cases of certain of the men whose alleged grievances were the subject of investigation and discussion might well be reconsidered by the officers of the Company with a view to their restoration to its service.

'Your Board is glad to report an adjustment of the matters in dispute and its unanimous agreement upon the basis of the attached schedules to remain in force for one year from August 15, 1909, and thereafter subject to the termination on thirty days' notice by either party.'

Attached to the findings of the Board in this matter is a schedule of rates of pay and rules governing the service of engineers, firemen and hostlers on all owned, leased and operated lines of the Grand Trunk Pacific Railway west of Fort William; also a schedule of rates of pay and rules for conductors, baggagemen, brakemen and yardmen on the lines of the Grand Trunk Pacific Railway west of Fort William.

Subsequent to the receipt of the Board's findings a question was raised by the employees with respect to an alleged error in paragraph 7 of the same respecting the adjustment of certain of the matters in dispute, and as a result a further sitting was held of the Board of Conciliation and Investigation, at which this paragraph was amended so as to read as follows:—

'After full hearing and consideration the matters in dispute were amicably adjusted, with the exception of the claim of the employees that "road engineers will be paid for switching at terminals and turn around points at through freight rates, time to count from time engine is ordered for until switching is completed, each six minutes to count as one mile; this in addition to mileage made on trip".'

In a letter dated June 22 the change in question was accepted by the Grand Trunk Pacific Railway Company. Following the amendment of the report in this particular further correspondence was exchanged between the department and the parties concerned respecting the attitude of the employees towards the Board's findings in other respects. At the end of the year the department had not been informed of any formal acceptance of the findings by the Company and the employees concerned, but no cessation of work had taken place.



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## REPORT OF BOARD.

The text of the findings of the Board of Conciliation and Investigation in this matter is as follows:—

TORONTO, August 11, 1909.

TO THE HON. W. L. MACKENZIE KING,  
Minister of Labour.

In the matter of the Industrial Disputes Investigation Act, 1907, and of a dispute between the Grand Trunk Pacific Railway Company and its employees.

The members of the Board of Conciliation and Investigation established by the Minister of Labour under the above Act, on the 24th day of June, 1909, and to which the dispute herein was referred under the provisions thereof, beg to report as follows:

1. The first meeting of the Board was held in Winnipeg on the 17th of July, and its meetings thereafter continued in the office of the general superintendent of the Company in the Somerset block on Portage avenue until the 24th of July, 1909, when its work was completed.

2. The matters in dispute were at first complicated by the fact that the Company having issued bulletins in general terms, which it claimed provided for the matters in dispute, was not disposed to consent to the framing of schedules. On the other hand, the employees had prepared and presented to the Board for its consideration detailed and somewhat complicated schedules.

3. Taking the bulletins referred to and the Grand Trunk Railway system operation rules, which the officers of the Company alleged to have been in use in a general way as a starting point, the matters in dispute, and as particularly set out in the said schedules prepared by the employees, were fully investigated and considered.

4. A very fair, friendly and conciliatory disposition was displayed on all hands.

5. The representatives of the employees expressed reasonable confidence in the present officials of the Company and were disposed to concede that the conditions of their service as regards a number of the matters in dispute had recently been somewhat improved.

6. The Company's officers laid much stress on the fact that as yet the road is in but the construction stage with the usual accompanying difficulties as to wages, supplies and general conditions, and that in consequence some of the claims made on behalf of its employees were premature.

7. After a full hearing and consideration, the matters in dispute were amicably adjusted with the exception of the claim of the employees that 'enginemen detained on their engines at terminals two hours or more before commencement or after completion of trip will be paid for same at schedule rates, such detention to be paid for in addition to mileage run, but to be deducted when computing overtime,' in respect to which a majority of the Board was disposed to agree with the contention of the employees.

8. While it appeared that in some cases the food supplied to the employees, the method of serving same, the sleeping accommodations provided and the general sanitary conditions may not have been entirely satisfactory, it also appeared that in a general way these were similar to, and on the whole as good as, those usually provided in the early stages of railway construction. The Board is of opinion, however, and would recommend that a regular inspection and report of all conditions of the construction camps, buildings and conveniences of the Company be made by its physicians with a view to better the conditions of employees and secure, if possible, that these be satisfactory in so far as food, lodgings and sanitation are concerned.

The Board is of opinion that the cases of certain of the men whose alleged grievances were the subject of investigation and discussion might well be reconsidered by the officers of the Company with a view to their restoration to its service.



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Your Board is glad to report an adjustment of the matters in dispute and its unanimous agreement upon the basis of the attached schedules to remain in force for one year from August 15, 1909, and thereafter subject to termination on thirty days' notice by either party.

(Sgd.) R. F. SUTHERLAND,  
Chairman.  
“ F. H. McGUIGAN,  
Representing the Company.  
“ J. G. O'DONOGHUE,  
Representing the Employees.

SCHEDULE.

Schedule of rates of pay and rules governing the service of the engineers, firemen and hostlers on all owned, leased and operated lines west of Fort William, Ontario:—

ARTICLE I.

<i>Passenger trains, per mile.</i>	Engineers. Cents.	Firemen. Cents.
Engines 50 to 100 and 300.. . . .	4.00	2.50
Engines 1 to 26.. . . .	4.10	2.70
Engines 200 to 225.. . . .	4.25	2.90
Engines 500 to 509.. . . .	4.50	3.05
<i>Freight service, per mile</i>		
Engines 50 to 100 and 300.. . . .	4.40	2.60
Engines 1 to 26.. . . .	4.50	2.80
Engines 200 to 225.. . . .	4.65	3.00
Engines 500 to 509.. . . .	4.90	3.25
<i>Construction and other work trains, per hour.</i>		
Engines 50 to 100 and 300.. . . .	40.	23.50
Engines 1 to 26.. . . .	41.	25.50
Engines 200 to 225.. . . .	42.50	27.50
Engines 500 to 509.. . . .	45.	30.
Light running and piloting, paid for class of service performed.		
Operating rotary plow.. . . .	4.90	3.25
Switching rates, per hour.. . . .	37.50	22.50
Watching and caring for engines, per hour.. . .	40.	25.

ARTICLE II.

On regularly assigned way-freight runs twenty-five cents (25 cents) to engineers, and fifteen cents (15 cents) to firemen will be allowed in addition to through freight rates for each one hundred (100) miles and *pro rata* for any fraction thereof.

ARTICLE III.

*Detention.*

(1) On all passenger trains not otherwise specified, detention will be paid for the time used in making the trip in excess of the time necessary to complete the trip at an average speed of fifteen (15) miles per hour.



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(2) On all way-freight, through and mixed trains, not otherwise specified, detention will be paid for the time used in making the trip in excess of the time necessary to complete the trip at an average speed of eleven (11) miles per hour.

(3) Detention will be computed from the time crew is called to go to work until it is registered in at the arriving terminal. Time of work trains will commence thirty (30) minutes before leaving time of train.

(4) Fractions of an hour less than thirty (30) minutes will not be counted; fractions of an hour over (30) minutes will be counted one hour.

(5) Terminal delays in road service before departure will be reported on separate ticket, and will be paid for at detention rates. Delays of less than one hour and thirty minutes (1 hr. 30 min.) will not be counted. The time so made will be deducted from any detention earned on the trip.

(6) Terminal delays in road service after arrival to be reported on separate ticket, and will be paid for at detention rates. Delays of less than forty-five (45) minutes will not be counted. Delays over one hour and thirty minutes (1 hr. 30 min.) to count two hours.

Terminal delays will begin when train is registered in arriving at terminal and end when engine is delivered in engine house yard.

(7) Detention will be paid at mileage rates for the class of service performed, based on detention speed limits. Enginemen should be promptly notified and reason given when time shown on time tickets is not allowed.

## ARTICLE IV.

*Miscellaneous Service rates.*

(1) Enginemen acting as pilots will receive the engineer's rate for the class of service performed.

(2) Authorized dead-heading on Company business, two hundred (200) miles or less, will be paid minimum passenger rates for actual miles. Distances in excess of two hundred (200) miles, half minimum passenger rates.

(3) Engineers assigned to specified runs will be paid extra for work done outside of the regular run and work performed either before or after time card hours at the rates effective for the class of service performed, and failing to make a full month will be paid *pro rata* for the service performed.

(4) Shop time, including time acting as hostlers, will be computed at the rate of three dollars (\$3) for each day of ten (10) hours; five (5) hours or less will be paid half day, over (5) hours and less than ten (10) hours, one day.

## ARTICLE V.

Enginemen in freight or passenger service will be paid mileage from the track where they take the engine to track where they deliver it. Round trips 100 miles or more one way will be paid for as separate runs.

## ARTICLE VI.

Road enginemen called and cancelled within three (3) hours, having made no mileage, will be paid for (3) hours and stand first out. For less than five (5) hours or fifty miles, pay for five (5) hours or (50) miles will be allowed. When over five (5) hours or fifty (50) miles, pay for ten (10) hours or one hundred (100) miles will be allowed.

*Switch Engineers.*

Enginemen on switch engines will be paid five (5) hours for five (5) hours or less; over five (5) hours, actual time.



## ARTICLE VII.

Engineers held under orders for train or other service or attending court or coroner's inquests on legal cases for the Company will be allowed four dollars (\$4) for each twenty-four (24) hours or portion thereof, detention from duty. Firemen will be allowed two dollars and fifty cents (\$2.50) for each twenty-four hours' or portion thereof, detention from duty. When such service is done on a day upon which regular work is also performed payment will be made *pro rata* for the time so occupied. When such service is done on a lay-off day the full rate will be allowed. Expenses will be allowed at the rate of two dollars (\$2) each for twenty-four (24) hours away from home station. The court witness fees and mileage will be assigned to the Company.

## ARTICLE VIII.

Enginemen in charge of dead engines will be paid enginemen's minimum freight rates and overtime, if made.

## ARTICLE IX.

Enginemen on snow plough trains will be allowed actual mileage, including sidings ploughed.

## ARTICLE X.

Enginemen on work trains will be allowed pay for making repairs to engines before or after hours at pits or other work train points where there is no locomotive staff. Such work to be reported on a separate ticket.

Enginemen in work train service, if not required on Sunday, will be furnished passes and allowed to go home when such leave will not interfere with the service.

As assigned work crew running thirty (30) miles or more to or from work, mileage so run will be paid for at through freight rates; time so occupied not to be included in time paid for at work train rates.

Work train crews will be given opportunity for meals at reasonable hours and provided with reasonable sleeping accommodation.

## ARTICLE XI.

When an engineman in regular service is called upon temporarily to perform duties other than his own, except that of hostler, he will receive not less than his own rate of pay. This not to apply to extra men.

## ARTICLE XII.

Enginemen will not ordinarily be required to back up or run tender first in inclement weather or after dark except with work or construction trains or in case of emergency.

## ARTICLE XIII.

The engineer in charge of an engine ordered over any section or branch with which he is not familiar will, when necessary, be furnished with a competent pilot.

## ARTICLE XIV.

The handling of freight crews in the movement of traffic under normal conditions will, so far as practicable, be so arranged by the Company as to avoid excessive lay-over at other than home terminals.

## ARTICLE XV.

Enginemen taking engines from one terminal or division to another will be furnished passes to return home and will not be required to run out of any other than their home terminal unless agreeable to them or in case of emergency.



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## ARTICLE XVI.

Engines running through terminals where roundhouse staff is employed, whether on round trip or over more than one section, will, where convenient, have coal shovelled ahead and fire and ash pan cleaned by roundhouse staff.

## ARTICLE XVII.

Engine cabs will be furnished with the usual seats and boxes suitable for storing clothes.

Engines should be so maintained that excessive and unnecessary steam blowing from any part will be avoided.

During cold weather the engine will be equipped with frost glasses on front cab window, side and back curtains, and back boards, and all openings about the cab, in running board and around the reverse lever, will be kept closed.

## ARTICLE XVIII.

When an engineman is discharged or resigns he will, as soon as practicable, be paid and given a certificate stating term of service and in what capacity he was employed.

## ARTICLE XIX.

If an engineman be taken off his run for any cause he shall, if he so desires, be given a hearing at which he shall have the right to have another engineman of his own selection appear and speak for him, and shall have the right to appeal from the decision of the local or the general officers of the Company. Should no decision be rendered within fifteen (15) days he shall receive pay until decision is rendered, and if proved innocent be reinstated and receive compensation for time lost.

## ARTICLE XX.

A revised seniority list of enginemen shall be posted at each roundhouse on the 1st of January each year.

## ARTICLE XXI.

Enginemen's seniority will date from day of commencing work.

## ARTICLE XXII.

Firemen will, conditions permitting, be called upon to pass examination for promotion in seniority turn and will be notified in writing within thirty (30) days thereafter of the results of such examination.

When conditions will not permit of a fireman taking his examination he will forfeit no rights thereby.

In the event of a fireman refusing to take or failing to pass the required examination he may be called upon again within six (6) months to pass a second examination. Firemen refusing to take or failing to pass a second examination will be placed at the foot of the eligible list or their services dispensed with, at the option of the Company.

## ARTICLE XXIII.

When necessary to transfer an engineman from one district or division to another, junior men will be transferred. If necessary for them to remain one year they will be classed as permanent men and retain seniority.

Promoted engineers put back firing will have priority over hired engineers and choice of runs, according to seniority.

## ARTICLE XXIV.

Engineman taken over with another road will hold their seniority on the lines acquired.



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Enginemen assigned by the Company to contractors' service will retain their seniority.

## ARTICLE XXV.

Senior enginemen will have precedence in promotion and runs, dependent upon their general good conduct, faithful discharge of duty, and ability to assume increased responsibility, the master mechanic to be the judge.

## ARTICLE XXVI.

Any enginemen refusing a run to which he is assigned will forfeit his rights to the man accepting it.

## ARTICLE XXVII.

If an engine assigned to a regular run is taken off such run, the engineman assigned to such run will be furnished with another engine.

## ARTICLE XXVIII.

If a regular run be vacant for thirty (30) days or less the senior extra engineman available will be used. If vacant for more than thirty (30) days the senior engineman desiring the run will be used.

## ARTICLE XXIX.

The number of crews on a district shall be regulated so far as possible as to enable the men to make at least twenty-six hundred (2,600) miles or twenty-six (26) days per month.

## ARTICLE XXX.

Should enginemen through sickness or injury become incapacitated for performing their work they may be assigned to such other service as they are capable of performing.

## ARTICLE XXXI.

Regularly appointed members of the Adjustment Committee of the Brotherhood of Locomotive Engineers and the Brotherhood of Locomotive Firemen and Enginemen will, when required to do committee work, be relieved from duty and furnished necessary transportation.

## ARTICLE XXXII.

At stations where no regular force is provided enginemen will be paid..... for turning and properly housing each locomotive, day and night.

## ARTICLE XXXIII.

When enginemen whose compensation is on a mileage basis are obliged to double grades on account of train tonnage exceeding rated capacity of locomotive, or to run for supply of coal or water, such mileage will be paid for at rate specified for district. The time so made will be deducted from any detention made. In other words, the Company shall not be required to pay twice for the same service.

## ARTICLE XXXIV.

Through freight locomotives and enginemen not assigned to preferred freight runs will be run first in, first out on the district to which they belong, as far as practicable, in the service to which they are assigned.

## ARTICLE XXXV.

The spare list will be posted, it being the duty of spare men to give continual attention to it, and be prepared for duty at any time, unless they shall have received permission to be absent.



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## ARTICLE XXXVI.

Spare men not appearing when called will lose their turn and fall to the bottom of the list.

## ARTICLE XXXVII.

Enginemen must respond promptly to the call of duty. A grievance, real or imaginary, should take the form of a complaint to be inquired into and dealt with at the proper time. It does not justify refusal to comply with instructions.

## ARTICLE XXXVIII.

A caller will be kept at stations, where necessary, to call enginemen.

## ARTICLE XXXIX.

Men will be called at their regular registered residences and as near as possible two (2) hours before leaving time of train.

Each man when called must sign a call book which will show the time called and the departure time of the train called for.

## ARTICLE XL.

Enginemen who are assigned to regular runs will not be called for trains leaving between the hours of 8 a.m. and 9 p.m.

## ARTICLE XLI.

Enginemen after continuous service of fifteen (15) hours or more shall have eight (8) hours' rest before they are again called for service, except in case of emergency.

## ARTICLE XLII.

Leave of absence must be obtained from the foreman in charge in the event of illness. Notice must be immediately given so that a substitute may be provided.

## ARTICLE XLIII.

Frequenting saloons, the use of intoxicating liquors or insubordination will be sufficient cause for dismissal.

## ARTICLE XLIV.

*General Duties.*

(1) To economically handle and use the oil, coal, sand, water, waste and other supplies;

(2) To report for duty and register out forty-five (45) minutes previous to the time called to leave and to be on hand and have the locomotive in readiness to start with train at the time called to leave;

(3) To examine bulletin books and notice boards before leaving a terminal.

(4) To enter rest required immediately on arrival at terminal in book provided for that purpose. If leave of absence on account of sickness or for any reason other than for rest is desired, to report personally to the foreman or his substitute.

(5) To assist in every manner possible in the event of a locomotive failure or casualty, to avoid delay to the train and to clear the main line.

(6) To make the light repairs which may be necessary to keep the locomotives in good condition for service until they can be taken to the roundhouse or terminal.

*Duties at Roundhouse Terminals.*

## ENGINEERS.

(1) To make the usual hammer test inspection of the locomotive both before and after leaving terminal, and engineers will be held responsible for any defects found inside the frame of engines except where they have booked inspection to be made, which must be only at points where and at times when there are no means of making inspection.



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(2) To see that the locomotive has its proper equipment and a full supply of oil, sand, water, coal and other supplies before leaving the roundhouse to go out on a run. In the case of locomotives requiring to be equipped with tools before going into service such work will be attended to by the shop staff.

(3) To test the air pump, both injectors, lubricators and steam heating equipment and to know that they are in proper working order previous to leaving roundhouse to go out on run.

(4) To personally test the air brake and signal whistle equipment by operating the engineer's brake valve and the angle cocks at the rear end of the tender, and to see that this equipment is in good working order, previous to leaving roundhouse tracks to go out on a run.

(5) To adjust the feeds of all oil cups and to close the feeds immediately on arrival at a terminal.

(6) To see that the automatic coupler knuckles are closed and that the air and steam hose are coupled to their respective fastenings, before the locomotive is delivered at a terminal.

(7) To see that heaters are applied during severe weather to all pipes requiring such and before locomotives are delivered at a terminal.

(8) To drain the water of condensation from the main and auxiliary reservoirs, triple valves, drain cups, and all other portions of the air brake equipment, to prevent its accumulation, and in addition to see that the engine and tender and air appliances that are liable to damage by frost are properly drained when an engine becomes disabled for service.

(9) To see that a judicious amount of water is left in the boilers of locomotives before they are delivered at a roundhouse after arriving at a terminal.

(10) To register in immediately on arrival at a terminal and to make out the trip tickets and forms used in reporting train detention, casualties, personal injuries, stock struck, fires, &c., when such reports are necessary, before leaving the Company's premises.

(11) To make, immediately on arrival at a terminal, a complete written report of all work necessary to be done by the roundhouse force on the assigned locomotive.

(12) To keep in adjustment the travel of the driver and engine truck brake cylinder pistons, when the same can be reached from the outside, and to remedy or make prompt report of all irregularities.

(13) To care for the trimming of eccentric straps, also for the trimming of the top of the driver boxes where they can be conveniently got at. When this work is reported it will be attended to by shop staff.

(14) To pack the steam and air stuffing boxes on the boiler head and other steam throttles when it can be done with steam in the boiler and can be conveniently reached. This work to be done by the shop staff when reported.

(15) To pack the steam and air end stuffing boxes of the air pump piston rod.

(16) To apply swabs to the valve stem, piston rod and air pump piston rod glands.

(17) To pack the valve stem and piston rod stuffing boxes of locomotives not equipped with metallic packing.

(18) To clean and care for the head lamp, reflector, burner, chimney and the glass to the cage.

(19) To care for the locomotive equipment.

(20) To care for the air pump and see that it is kept in a clean condition and properly lubricated.

(21) To make a complete and intelligent report of work necessary to be done on locomotives going to the shops for repairs.



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## DUTIES IN SERVICE ON THE ROAD.

## ENGINEERS.

(1) To make as many intermediate inspections of the locomotives as opportunity may afford.

(2) To renew the water gauge and lubricate glasses.

(3) To tighten the nuts of all bolts found to be loose.

(4) To close the feeds of all lubricators and oil cups when lying at stations or on side tracks for over five minutes.

(5) To see that the heaters are applied properly to all injectors, steam heat, rail cleaner and other pipes requiring such heaters during severe weather.

(6) To be responsible for the steam pressure and water in the boiler and the steam heat line, and the air pressure in the train and signal lines being maintained and not increased.

(7) To prevent such firing of a boiler as will produce black smoke and cause the steam to be relieved through the pop valves; all the surplus steam to be blown into the tender feed water.

(8) To see that the firemen attend to the duties assigned to them and that they comply with the instructions in effect.

(9) To handle the locomotive in such a manner as will give the best result, both as regards economy and efficiency; to make up all the time possible with trains that may be late or important and to handle the air brake and steam heat equipment in accordance with instructions, and to render the best of service.

(10) To make a telegraphic report to the master mechanic of slid or flat wheels under locomotives, and of accidents which result in damage to machinery or personal injury, and of causes for unusual delays to trains which may be chargeable to the motive power department.

(11) To immediately notify the conductor in the event of a locomotive becoming disabled on the road so as to cause delay to trains, as to the reason of the failure, how soon the locomotive will be ready to proceed and with what portion of the train, so that the trainmaster can be advised and issue the necessary instructions.

## DUTIES OF FIREMEN AT ROUNDHOUSE TERMINALS.

## FIREMEN.

(1) To draw the necessary supply of oil, waste and stores immediately on arrival at the roundhouse or previous to going out on a run.

(2) To fill the lubricator and the head-lamp oil reservoir, also the cab blizzard and hand signal lamp reservoirs on arrival at the terminal.

(3) To care for all lamps but the head-lamp, and to clean the cage of the latter.

(4) To assist the engineer in caring for the locomotive equipment.

(5) To shovel the coal from the rear end of the tender at least once during each week, and to trim the coal from the sides of the tender at all terminals or immediate coal stations.

(6) To keep the rear end tender deck around the water hole clean at all times, and the drains open.

(7) At points where no shop staff is employed, if required, before or after hours, to clean the fires of pilot, pusher or switch locomotives, and to wipe the running gear and the tenders of such pilot, pusher or switch locomotives, they shall be paid at regular rates for such services.

(8) To keep all tender tool and equipment boxes and the equipment contained therein in a clean and orderly condition.



DUTIES IN SERVICE ON THE ROAD.

- (1) To be subordinate to the engineer.
- (2) To be held strictly responsible to the engineer for the condition of the grates, ashpan and dampers, and all the rigging pertaining thereto, and to know that the necessary firing tools are on the locomotive previous to leaving the roundhouse tracks to go out on a run.
- (3) To comply with the instructions in effect in regard to the economical firing of locomotives and the use of surplus steam.
- (4) To be on the lookout for and to receive all the signals which may be given or located on the left side of the locomotives, and to transmit them promptly and correctly to the engineer.
- (5) To be on the lookout for and to report to the engineer promptly all irregularities which may be detected in the operation of the locomotive.
- (6) To have the fire in readiness for the run, and the full pressure of steam in the boiler at the time the locomotive is coupled to the train and the latter is ready to leave.
- (7) To keep on the locomotive one red and one white lantern, lighted and in readiness for immediate service from sunset to sunrise. Four torpedoes must be attached to the frame of the red lantern.
- (8) To keep the cab foot plate clean and dampened, and the coal wetted down and well raked in from the sides of the gangway during the trip over the road.
- (9) To leave the locomotive at the end of the trip or day's work with a bright fire on the grates, and especially next to the tube sheet.
- (10) To remove from the locomotive all the train signal flags and lights immediately on arrival at the roundhouse terminal.
- (11) Road firemen will be relieved from all brass scouring and all cleaning outside the cab while the engine is in service, but will clean the cab interior and sweep the cab and deck, provided such parts are in a cleanly condition when the engine is turned out for service.

(Sgd.) R. F. SUTHERLAND,  
Chairman.  
(Sgd.) F. H. MCGUIGAN,  
For the Company.  
(Sgd.) J. G. O'DONOGHUE,  
For the Employees.

SCHEDULE.

Schedule of rates of pay and rules for conductors, brakemen, brakemen and yardmen, Grand Trunk Pacific lines west of Fort William.

Passenger trains, for average monthly mileage of 5,000 miles or less:—

	Per month.
Conductors will be paid.. . . .	\$ 135 00
Brakemen will be paid.. . . .	72 75
All mileage in excess of 5,000 miles per month will be paid pro rata.	

	Conductors.	Brakemen.
Through freight trains per 100 mile.. . . .	\$3 80	\$2 60
Way-freight and mixed trains per 100 mile.. . . .	4 18	2 86
Work train, helper or pusher, per hour.. . . .	0 38	0 26



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*Rules for Trainmen.*

## ARTICLE I.

Light running and piloting will be paid for at rates for class of service performed.

The mixed trains as at present run, and similar runs added, will be classed and paid as way-freight runs.

## ARTICLE II.

Snow plough and flanger trains will be paid for at through freight rates. Trainmen will not be required, except in case of emergency, to ride in plough, but will be supplied with a caboose or other suitable car.

## ARTICLE III.

Trainmen deadheading or travelling passenger on Company's instructions will be paid at the same rate as the corresponding men running the train on which they travel.

The crew standing second out will dead head and will stand first out of the distant terminal.

(b) Trainmen deadheading on passenger trains at the instance of the Company. 200 miles or more, will be paid one-half passenger rates; otherwise they will be paid as per clause (a).

## ARTICLE IV.

Through freight trainmen regularly required to load or unload way-freight *en route* will be paid at way-freight rates for the time so occupied, but not in excess of way-freight rates for the full trip, such time to be deducted in computing overtime.

## ARTICLE V.

When a passenger train averages less than fifteen miles an hour, and any other train less than eleven miles per hour, overtime will be paid *pro rata* for time consumed in excess of these respective averages from the time crew is called to leave terminal until booked off duty at the arriving terminal—less than thirty minutes not to count, thirty minutes or over to be counted one hour. In work train service time will be computed beginning thirty minutes before leaving time, except spotting crews.

## ARTICLE VI.

When obliged to double grades on account of train tonnage exceeding rated capacity of locomotive, or to run for coal or water, such mileage will be paid for at rate specified for the district. The time so made will be deducted from any overtime earned.

## ARTICLE VII.

Trainmen called and cancelled within three hours, having made no mileage, will be paid for three hours and stand first out. For less than five hours or fifty miles, pay for five hours or fifty miles will be allowed. For over five hours or fifty miles, pay for ten hours or one hundred miles will be allowed.

## ARTICLE VIII.

(a) Trainmen on wrecking trains will be allowed actual mileage to and from working limits, and work train rates while at work.

(b) Trainmen will be furnished passes and allowed to go home for Sunday if the train service will permit and it will not interfere with the work service.

(c) Unassigned freight crews will, when practicable, be selected for work train service, seniority to govern.

## ARTICLE IX.

Trainmen held under orders for train or other service will be paid ten miles per hour at freight rates for the last ten hours or portion thereof in every twenty-four



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hours so held, less any mileage or time otherwise paid them during the said twenty-four hours. When attending court away from home on Company's instructions will also be allowed \$2 per day expenses. Witness fees and mileage shall be assigned to the Company.

## ARTICLE X.

Trainmen required to coal engines *en route* will be paid at the rate of thirty-three cents per hour for the time so occupied, and this time will be deducted in computing overtime.

## ARTICLE XI.

Trainmen shall be promptly notified and reason given when time shown on time tickets is not allowed.

## ARTICLE XII.

When the business of the Company requires temporary transfer of men from one district or division to another, the competent junior men in service shall be transferred and hold their seniority on the districts to which they belong. Promoted conductors put back braking will have priority over hired conductors and choice of runs according to seniority.

## ARTICLE XIII.

Trainmen who have been on duty twelve hours or more will not be called again for immediate duty if they require rest, the men to be judge of their own condition, but eight hours' rest is to be considered sufficient, except in extreme cases. The required rest must be booked on arrival.

## ARTICLE XIV.

Freight trainmen living within one mile of yard office and passenger trainmen living within one mile of the passenger station will be called as nearly as possible in time to be on duty forty-five minutes and thirty minutes respectively before leaving time of train. Caller will be furnished with a book in which the time the train is to leave will be registered and in which trainmen will sign their names. Regular men assigned to trains leaving between 8 a.m. and 9 p.m. will not be called.

## ARTICLE XV.

Trainmen assigned to regular runs will not be required to remain in caboose at terminal points, and unless notified that they will be required before their regular runs will not be considered absent from duty if address is given where they can be called if required, and crews so advised will be given their turn out with unassigned crews.

## ARTICLE XVI.

Unassigned crews in freight service will be run first in, first out of terminals.

## ARTICLE XVII.

The number of crews on any district shall be regulated so far as possible to enable the men to make at least 2,600 miles, or 26 days per month.

## ARTICLE XVIII.

If a trainman be taken off his run for any cause, he shall, if he so desires, be given a hearing at which he shall have the right to have another trainman of his own selection appear and speak for him, and shall have the right to appeal from the decision of the local to the general officers of the Company. Should no decision be rendered within fifteen days, he shall receive pay until decision is arrived at, and if proved innocent shall be reinstated and receive compensation for the time lost.



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## ARTICLE XIX.

When a trainman is discharged or resigns he will, as soon as practicable, be paid and given a certificate stating term of service and capacity employed.

## ARTICLE XX.

Senior trainmen will have precedence in promotion and runs, dependent upon their general good conduct, faithful discharge of their duty and ability to assume increased responsibility, the superintendent to be the judge.

A revised seniority list of trainmen shall be posted at each terminal on the first of January each year.

## ARTICLE XXI.

Trainmen will not, if avoidable, be compelled to handle, in trains, cars, the draft gear of which is defective and requires to be chained, beyond next terminal.

## ARTICLE XXII.

Members of adjustment committees regularly appointed shall be relieved when required to do committee work, and furnished necessary transportation, sufficient notice to be given superintendent so that service will not suffer.

## ARTICLE XXIII.

Crews assigned to regular runs will not be called upon to do other work when it can reasonably be avoided.

## ARTICLE XXIV.

Trainmen running snow ploughs will be allowed actual mileage, including sidings ploughed.

## ARTICLE XXV.

Should trainmen through sickness or injury become incapacitated for performing their work they may be assigned to such other service as they are capable of performing.

## ARTICLE XXVI.

Trainmen will, conditions permitting, be called upon to pass their examinations for promotions in seniority turn, and will be notified in writing within thirty (30) days thereof of the results of such examinations.

When conditions will not permit a trainman taking his examinations, he shall forfeit no rights thereby.

In the event of a trainman refusing to take, or failing to pass, the required examination, he may be called upon again within six (6) months to pass a second examination. Trainmen refusing to take, or failing to pass, a second examination, will be placed at the foot of the eligible list or their services dispensed with, at the option of the company.

## ARTICLE XXVII.

Trainmen taken over with another road will hold their seniority on the lines acquired.

Trainmen assigned by the Company to contractors' service will retain their seniority.

## ARTICLE XXVIII.

Any trainman refusing a run which he is assigned will forfeit his rights to the man accepting it.

## ARTICLE XXIX.

If a trainman assigned to a regular run is taken off such run the trainman assigned to such run will be furnished with another run.



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## ARTICLE XXX.

If a regular run be vacant for thirty (30) days or less the senior extra trainman available shall be used; if vacant for more than thirty (30) days, the senior trainmen desiring the run shall be used.

## ARTICLE XXXI.

A revised seniority list of trainmen shall be bulletined on the 1st of January of each year.

Trainmen's seniority will date from the day of commencing work.

## ARTICLE XXXII.

Unassigned trainmen running work trains thirty (30) miles or more to or from work, the mileage so run will be paid for at through freight rates, the time so occupied not being included in time paid for at work train rates.

## ARTICLE XXXIII.

Trainmen will be given opportunity for meals at reasonable hours.

## ARTICLE XXXIV.

The handling of freight crews in the movement of traffic under normal conditions will, so far as practicable, be so arranged by the Company as to avoid excessive lay over at other than home terminals.

## RULES AND RATES FOR YARDMEN.

Rates.	Day.	Night.
Yard foremen, per hour.. . . .	\$0 35	\$0 37
Yardmen, per hour.. . . .	0 32	0 34

Ten hours will constitute a day's work.

## ARTICLE I.

Articles 11, 20 and 27 in trainmen's schedule will apply to yardmen.

## ARTICLE II.

When held off duty on Company's instructions, yardmen will be paid schedule rates for time so lost and will receive \$2 a day for expenses while away from home.

## ARTICLE III.

Overtime will be paid *pro rata* on basis of one-tenth of one hour for every six minutes worked, less than three minutes not to count, three to six minutes to count as one-tenth of an hour.

## ARTICLE IV.

Yardmen, when possible, will be allowed one hour for meals between the fifth and seventh hour after coming on duty. Failing this, they will be paid for meal hour, and allowed twenty minutes for lunch.

## ARTICLE V.

Except in case of emergency, yardmen will not be compelled to work with an engine not properly equipped with foot boards, grab irons and automatic couplers.

R. F. SUTHERLAND,  
Chairman.

F. H. MCGUIGAN,  
For the Company.

J. G. O'DONOGHUE,  
For the Employees.



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**XIII.—APPLICATION FROM MAINTENANCE-OF-WAY EMPLOYEES OF THE CANADIAN NORTHERN RAILWAY COMPANY ON LINES WEST OF PORT ARTHUR, ONT.—BOARD ESTABLISHED—AGREEMENT CONCLUDED ON ALL POINTS—STRIKE AVERTED.**

*Application received.*—June 8, 1909.

*Parties concerned.*—Canadian Northern Railway Company and its maintenance-of-way employees on lines west of Port Arthur, Ont.

*Applicants.*—Employees.

*Nature of industry concerned.*—Railways.

*Nature of dispute.*—Wages and conditions of labour.

*Number of employees affected.*—Directly, 1,100; indirectly, 700.

*Date of constitution of Board.*—June 24, 1909.

*Membership of Board.*—His Honour Judge R. H. Myers, Winnipeg, Man., Chairman, appointed by the Minister in the absence of any joint recommendation from the other members of the Board; Mr. W. J. Christie, Winnipeg, Man., appointed on the recommendation of the employing Company; and Mr. J. G. O'Donoghue, Toronto, Ont., appointed on the recommendation of the employees.

*Report received.*—July 21, 1909.

*Result of inquiry.*—Agreement concluded on all points; strike being thereby averted.

The Minister received on July 21 the report of the Board established in the matter of a dispute between the Canadian Northern Railway Company and its maintenance-of-way employees, to the number of 1,000, members of the International Brotherhood of Maintenance-of-Way Employees; also a minority report in the same matter signed by Mr. W. J. Christie, member of the Board appointed on the recommendation of the employers. This Board, which was composed of Mr. W. J. Christie, of Winnipeg, member appointed on the recommendation of the employers; Mr. J. G. O'Donoghue, of Toronto, member appointed on the recommendation of the employees; and His Honour Judge Myers, of Winnipeg, chairman, appointed by the Minister of Labour, was established on June 14, and assembled in Winnipeg on July 5.

Upon receipt of the findings of the Board, inquiry was made by the Minister of Labour to ascertain whether the same were acceptable to the parties as an adjustment of the dispute. A letter was received under date of July 17 from Mr. A. B. Lowe, president of the International Brotherhood of Maintenance-of-Way Employees, in which it was stated that the employees concerned had accepted the findings of the Board in this matter. On August 13 the Minister of Labour was informed by the Canadian Northern Railway Company that a settlement had been arrived at between the Company and its maintenance-of-way employees. On August 17 a letter was received from Mr. A. B. Lowe, president of the International Brotherhood of Maintenance-of-Way Employees, in which it was stated that the whole matter was happily settled by the acceptance of the award by the Company and the signing up by the men's representative and by the manager of a schedule based upon the Board's award. In a circular addressed by President Lowe to members of the International Brotherhood of Maintenance-of-Way Employees on the Canadian Northern Railway system, it was stated that 'in my last circular I told you of the deadlock between your com-



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mittee and the management over the revision of your schedule which had been in operation for about two years. You are also aware that the whole matter of rules and rates was referred to arbitration under the Lemieux Act. The award, I am glad to say, was generally favourable to you, but was not regarded by the Company as being quite fair to them. Both, however, accepted the award, but in the adjustment of your schedule to the award by the management and your joint protective board, some slight changes were mutually agreed to, so that while the schedule is not in the exact terms of the award, it was satisfactory both to the management and your joint protective board, and meets with my hearty approval. The permanent sectionmen retain their \$1.75 per day; the pump repairers, who were not on the schedule before, are now upon it and receive \$3 per month more than the award gave them. All section foremen, bridge and building and water service men receive an increase, and no less than eight sections have been given yard rates, an increase of 20 cents per day to each.'

When the Board met it was learned that several of the questions in dispute had been practically settled and that the Company had submitted a draft agreement leaving unsettled only two matters, viz.: 1. The wages to be paid the sectionmen or permanent labourers on the entire system, and, 2, the compensation to be paid repairers. This draft agreement was acceptable to the men and the efforts of the Board were accordingly confined to the outstanding matters aforesaid. The permanent labourers had been receiving during the past two years \$1.75 per day from the Canadian Northern. This class of workmen were paid on the Canadian Pacific railroad the sum of \$1.75 at the terminal yards, Fort William, Winnipeg, Brandon and Moosejaw, and \$1.70 per day at all other places. The Canadian Northern Railway Company desired to reduce the wages of this class of men in their employ to a corresponding or similar rate to that paid by the Canadian Pacific. The Board, however, found that the wages paid by the Canadian Northern Railway to other classes of maintenance-of-way men were less than the wages paid similar classes in the service of the Canadian Pacific, and that, on the whole, the general difference is not appreciable. The representatives of the men, while demanding an increase to \$1.80 per day for these permanent labourers, seemed willing to accept the rate of \$1.75 along with the schedule of wages as proposed for all such other classes. The Board found that the Company offered little evidence in support of their desire for a reduction of the men's wages and that the Canadian Northern should continue to pay these permanent labourers \$1.75 per day.

In respect of the pump repairers, the Board was of opinion that the wages now paid to them, viz.: \$90 per month, without an allowance for expenses while away from headquarters, should not be disturbed. While the conclusion arrived at with regard to pump repairers did not meet with the approval of Mr. O'Donoghue, yet he consented to subscribe to this report in order to obtain a settlement of all outstanding differences.

In his minority report Mr. W. J. Christie declared that 'the principal evidence on behalf of the employees was given by Mr. Fljozdal and Mr. Lowe, who both live in a foreign country and could not give evidence from personal experience of the conditions that exist in Western Canada.' Mr. Christie, in declining to subscribe to the report of the Board, expressed also the opinion that 'sufficient effort was not made to bring about a settlement and that settlement could not be justly made without asking for evidence and considering the case of the men employed in every department of the maintenance-of-way.' The report of the Board, in his judgment, asked the Canadian Northern Railway Company to pay 5 cents a day more for permanent labourers and 6 cents a day more for section foremen than the highest wages paid by any of the railway companies they are competing with. Mr. Christie attached to his report a draft agreement which he desires to make operative from July 1, 1909, to June 30, 1911.



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## TEXT OF REPORT.

The text of the findings of the Board is as follows:—

WINNIPEG, Man., July 16, 1909.

The Hon. W. L. MACKENZIE KING,  
Minister of Labour,  
Ottawa, Ont.

In the matter of the Industrial Disputes Investigation Act, 1907, and of a dispute between the Canadian Northern Railway Company, employer, and the said Company's maintenance of waymen employees.

SIR,—The Board of Conciliation and Investigation appointed herein under the provision of the above named Act and composed as follows: John G. O'Donoghue, of Toronto, Ontario, recommended by the employees;; William John Christie, of Winnipeg, Manitoba, recommended by the Company; and His Honour Judge Robert H. Myers, of Winnipeg, Manitoba, appointed by the Minister of Labour as chairman of the Board, beg to report as follows: —

All the members of the Board attended all the meetings and these meetings were all held in Winnipeg, commencing on Monday, the 5th day of July, 1909.

Sessions of the Board were held by mutual agreement in the office of the general superintendent of the Company, the men being represented by Mr. Lowe and Mr. Fljozdal, and the Company by Mr. Cameron and Mr. Warren. Witnesses were examined on behalf of each party and all statements made and evidence tendered were heard. Conferences were also had with the representatives of the men and with General Manager MacLeod and General Superintendent Cameron and diligent efforts made to effect an amicable settlement of the differences during the whole of last week and the three days of this present week.

When the Board first met it was learned that several of the questions in dispute had been practically settled, and that the Company had submitted the draft agreement hereto annexed, leaving unsettled only two matters, namely, (a) the wages to be paid section men or permanent labourers on the entire system, and (b) the compensation to be paid or allowed pump repairers. This draft agreement was acceptable to the men and therefore our efforts were limited to the two matters aforesaid.

The permanent labourers had been receiving during the past two years \$1.75 per day from the Canadian Northern. This class of workmen were paid on the Canadian Pacific Railroad the sum of \$1.75 at the terminal yards, Fort William, Winnipeg, Brandon and Moosejaw, and \$1.70 per day at all other places.

The Canadian Northern Railway Company desired to reduce the wages of this class of men in their employ to a corresponding or similar rate to that paid by the Canadian Pacific.

The Board, however, find that the wages paid by the Canadian Northern to other classes of maintenance-of-way men are less than the wages paid similar classes in the service of the Canadian Pacific, and, on the whole, the general difference is not appreciable.

The representatives of the men, while demanding an increase to \$1.80 per day for these permanent labourers, seemed willing to accept the rate of \$1.75 along with the schedule of wages as proposed for all such other classes. The Canadian Northern offered little evidence in support of their desire for a reduction of the men's wages.

The Board considered and discussed all phases of the differences in an endeavour to effect a conciliation, but found it impossible to secure an agreement on this one point. The representatives of the Company at the final conference seemed willing to recommend that the permanent labourers be paid \$1.75 per day at the terminal or divisional yards at Port Arthur, Winnipeg, Dauphin and Edmonton (estimated at about 50 men) and \$1.70 per day at all other points (estimated at about five



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hundred and thirty men), but the representatives of the men refused to accept less than a renewal of the old wage scale, namely, a daily wage of \$1.75 to each permanent labourer without distinction as to place employed.

After hearing and considering all the evidence and arguments and statements advanced, the undersigned members of the Board feel, especially in view of the cost of living, the wages generally paid to labourers and the importance of the services rendered, that the Canadian Northern should continue to pay these permanent labourers \$1.75 per day and that figure should be inserted in the wage schedule attached to the draft agreement where the blank space has been left for the amount fixed upon.

The case for the pump repairers (of whom there are nine) was ably presented to the Board by Mr. Keyes and the above named representatives of the men, but the Board are of the opinion that the wages now being paid to them, namely, \$90 per month without any allowance for expenses while they are away from headquarters, should not be disturbed, and that this sum be set opposite the pump repairers in the above mentioned wage schedule.

While the conclusion arrived at with regard to the pump repairers does not meet with the approval of Mr. O'Donoghue, yet he has consented to subscribe to this report in order to obtain a settlement of all outstanding differences.

We recommend that both employer and employees accept our decision above stated and unite in completing and concluding the said annexed agreement as above suggested, the date from which same shall be effective to be inserted as the 1st of July, 1909.

Our colleague, Mr. W. J. Christie, takes the view that these permanent labourers should not be paid by the Canadian Northern more than is being paid by its chief competitor, the Canadian Pacific, and will submit a minority report.

All of which is respectfully submitted.

(Sgd.) R. HILL MYERS,  
Chairman.

" J. G. O'DONOGHUE,  
For the Men.

### **Agreement between the Canadian Northern Railway Company and its Maintenance-of-Way Employees.**

SECTION.—By permanent maintenance-of-way employees is meant men employed in the track, bridge and building department, signalmen, pumpmen and pump repairers on such parts of the line that are open for traffic, and who have been in the maintenance-of-way service continuously for one year or more, or who have had one year's cumulative service during the three years immediately preceding, and the same will hereafter be referred to as 'employees.' Labourers in extra gangs, unless practically engaged all the year round, will not be ranked as permanent employees.

SECTION 2. Ten hours shall constitute a day's work. When required to work in excess of ten hours, time and a half will be allowed for such excess work and for work done on Sundays and Christmas day.

(a) The hours of track and bridge watchmen and signalmen will be twelve hours in each twenty-four. Twelve hours either continuously or intermittingly will constitute a day, but they shall receive at least eight hours continuous rest in each twenty-four.

(b) At regular pumping stations, where the amount of work is such that it is necessary for pumpmen to work continuously for twelve hours in order to keep the supply up, overtime, if worked, will be paid *pro rata* up to 24 K. and 24 K. and 7 K., at rate of time and a half.



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(c) In cases of emergencies employees will not be required to work more than twenty-four hours continuously without a rest of eight hours.

(d) Section foremen and sectionmen travelling on orders of the Company to and from work after regular working hours will be allowed straight time. Members of bridge and building gangs travelling on orders from the Company to and from work after their regular hours, will be allowed straight time, except when provided with boarding and sleeping cars to carry them to and from work. Members of regular bridge and building gangs travelling in boarding cars at the request of the Company on Sunday between 7 a.m. and 6 p.m. will be allowed straight time.

SECTION 3. Employees taken off their regular sections temporarily to work on snow or tie trains or other work, will be compensated for the extra expense they necessarily incur, such expenses not to exceed fifty cents per day.

SECTION 4. Employees required to attend to and light semaphore or switch lamps, before or after regular working hours, will receive therefor \$4 per month for six or less lamps, and 50 cents per lamp per month for those in excess of six. When lamps are located beyond the yard limit they will be attended to during regular working hours.

SECTION 5. Employees will be promoted hereafter on their respective superintendent's divisions in order of seniority, provided they are qualified. The several senior qualified employees shall be advised of all vacancies in the position of foremen, and their applications if presented within five days after being notified will be considered. Employees may be transferred from one division to another for extra gang work or on opening of new lines, or when the necessary qualified men for maintenance-of-work are not obtainable on the division.

(a) In promoting employees to the position of roadmaster or bridge and building master, men may be taken from any point on the system, according to seniority, if competent.

(b) Employees refusing promotion will become junior to those accepting such promotion.

(c) An employee who is transferred to another department or from the bridge and building department to the track department, or vice versa, at his own request will lose his seniority standing.

(d) Employees unable to read or write English need not be promoted.

(e) A list of all employees will be prepared for each superintendent's division, and such lists will show the seniority standing of each employee. The lists will be revised from time to time to agree with the length of service and promotions made, and a copy will be furnished to the employees' representative, which will be open for inspection and correction on proper representation.

(f) In the event of a reduction in the number of men employed, those longest in the service shall be given preference of employment.

(g) The position of track and bridge watchmen and signalmen is not one subject to the general rules of promotion, being intended to take care of men in any department who become unfitted for other service.

SECTION 6. Leave of absence and free transportation will be granted to members of duly appointed committees for the adjustment of matters in dispute between the Company and employees so far as is consistent with good service, within ten (10) days after request in writing has been made on the proper officers.

SECTION 7. Employees suspended or dismissed, who consider they have been unjustly treated, will receive full and impartial hearing, and will be advised of decisions reached within fifteen days after the time of their suspension or dismissal. Should the investigation show that the suspension or dismissal was unjust, time will be allowed and employee reinstated. Appeals from decisions must be made in writing



by the employee through his roadmaster or bridge and building master within fifteen (15) days after being advised of such decision.

(a) Permanent employees, leaving the service of the Company, from any cause whatever, will be furnished with service letter if requested.

SECTION 8. Employees will be granted leave of absence four times a year. Such free transportation will not extend beyond their superintendent's division, and the leave of absence will not exceed two days, and then only when consistent with good service, and provided the Company is not put to any additional expense.

SECTION 9. Permanent employees will be granted once per year transportation to any system in favour of themselves and members of their families, dependent upon them for support.

SECTION 10. The Company will keep all section houses in good repair, the cost of repairs, other than ordinary wear and tear, to be charged to occupants.

SECTION 11. Where water is transported for use of section gangs, good water will be provided.

SECTION 12. A member of the household of permanent employees will be furnished with free transportation once a month to and from points where reasonable prices prevail for the purpose of purchasing supplies. Such transportation may be used by any member of the family only.

SECTION 13. Free transportation will be granted to nurses, when their services are required by employees in isolated districts from points where they are obtainable, on presentation of a certificate from attending physician.

SECTION 14. Bridge and building gangs shall be composed of:—

1st. Foremen.

2nd. Carpenters, who shall be skilled mechanics in house and bench work, and have a proper kit of carpenter's tools.

3rd. Bridgemen, who shall be rough carpenters, expert saw, axe and hammermen, and have a general experience in bridge work.

RATES OF PAY FOR TRACKMEN.

*Yard foremen—*

	Per day.
Port Arthur, Winnipeg and Edmonton.. . . .	\$ 2 75

*Yard foremen—*

Atitokan, Rainy River, Portage la Prairie, Dauphin, Kamsack, Humboldt, N. Battleford, Vermilion, Emerson, Belmont, Brandon, Swan River, Prince Albert, Saskatoon, Neep- awa, Morris, Fort Francis, Moranville and Kipling.. . .	2 60
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*Sectionmen—*

Assistant foremen.. . . .	2 50
Section foreman in charge of snow plough or flanger.. . .	3 20
Foremen in charge of extra gangs.. . . .	\$2 50 to 3 45

*Rates of pay for signalmen—*

Signalmen at crossings.. . . .	1 50
Signalmen at interlocking crossings.. . . .	1 75

*Rates for pay for bridge and building men—*

Foremen.. . . .	\$3 20 to \$3 45
Carpenters.. . . .	2 80 to 3 00
Bridgemen.. . . .	2 15 to 2 80
Labourers.. . . .	



*Rates of pay for pumpmen—*

	Per month.
Pumpmen, one pump.. .. .	\$48 00
Pumpmen, two pumps.. .. .	58 00
Pumpment, three pumps.. .. .	58 00
Pump repairers.. .. .	

These rules will not take away any privileges that are now in effect with employees. They will become effective... .., and will remain in force until either party desiring a change gives the other party sixty (60) days' notice.

• • • • •

General Chairman.

• • • • •

Vice-Chairman.

• • • • •

General Superintendent.

The minority report of Mr. W. J. Christie, member of the Board appointed on the recommendation of the Company, is as follows:—

Winnipeg, Man., 15th July, 1909.

The Hon. W. L. MACKENZIE KING,  
Minister of Labour,  
Ottawa, Canada.

SIR,—In the matter of dispute between the maintenance-of-way employees of the Canadian Northern Railway Company and the Canadian Northern Railway Company.

The Board of Conciliation and Investigation appointed by you under the Industrial Disputes and Investigation Act of 1907, being composed of His Honour Judge Robert H. Myers, of Winnipeg, Manitoba, chairman of the Board; J. G. O'Donoghue, of Toronto, Ontario, recommended by the employees; and W. J. Christie, of Winnipeg, Manitoba, recommended by the Company, beg to report as follows:—

The Board began its sittings on the 5th day of July, 1909, in the Company's offices, which were courteously placed at their disposal. All meetings were attended by the full Board.

The employees were represented by Mr. Lowe and Mr. Fljozdal, both citizens of the United States, and the Company by Mr. Cameron and Mr. Warren, of Winnipeg.

The witnesses were not examined under oath.

Besides Mr. Lowe and Mr. Fljoldal only one witness was examined on behalf of the employees. This man was at one time a tank repair employee, but has some time since left the service of the Company, so that practically no evidence was offered from anybody at present employed in the service of the Company.

The principal evidence on behalf of the employees was given by Mr. Fljozdal and Mr. Lowe, who both live in a foreign country, and could not give evidence from personal experience of the conditions that exist in Western Canada.

As it was supposed the employees were asking for a change it was only reasonable to think that they would offer some evidence direct from their number.



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In opening the case it was suggested that the Company and men differed on wages in only two classes of workmen; that is, the pump repairers and labourers employed on sections who have been in the service of the Company for one year or more. This proved not to be the condition that existed.

On investigation it was found that Mr. Cameron, general superintendent of the Company, was willing to recommend to the management a schedule of wages for all classes of workmen employed in the maintenance-of-way, but would not do so until the full schedule was accepted by the employees. This appeared to be accepted by the men with the exception of wages of the pump repairers and permanent labourers. Mr. Cameron agreed to recommend that the permanent labourers should be paid the same wages as similar men employed by the Canadian Pacific Railway, but when the complete schedule of wages was not accepted by the men the duty of the Board of Conciliation was to open the case, take evidence of the wages of each class of men employed and use our best efforts to bring the men and the Company together, as one can readily realize the hardship a strike means to the families of the employees.

Evidence was only taken as to the wages paid the permanent labourers and those employed in repairing pumps. The evidence submitted was that the permanent labourers were paid by the Canadian Pacific Railway \$1.75 per day in first-class yards and \$1.70 per day in second-class sections, and that the Great Northern Railway and Northern Pacific Railway south of the boundary line east of the Rocky Mountains paid \$1.40 per day for foreign labourers and \$1.50 per day for English-speaking labourers. There was no evidence offered to dispute the above facts.

Mr. Cameron agreed to recommend to the management of the Canadian Northern Railway that permanent labourers be paid the same wages as paid by the Canadian Pacific Railway, which are the highest paid by any of the three railways mentioned, and all competing for traffic of this northwest country.

From the evidence it was found that the men employed in repairing pumps and gasoline engines were paid by the Canadian Northern Railway \$90 per month flat rate; they have to pay their expenses while away from headquarters. The Canadian Pacific Railway pay similar men \$78 per month and 75 cents a day expenses while away from home, and the evidence went to show that they were away at an average of from eighteen to twenty days per month. This would mean that the Canadian Pacific Railway men were paid about \$92 per month, and Mr. Cameron of the Canadian Northern Railway, agreed to recommend to the management that they increase their men's wages to \$92 per month.

It was strongly urged by one member of the Board that as a large percentage of the men affected by the dispute were either section foremen or permanent labourers that evidence should be taken as to the actual condition of the former, but the Chairman refused to take this matter up.

The offer that Mr. Cameron stated he would recommend the Company to make was that they pay \$2.50 per day to section foremen other than those mentioned in the following schedule, and charge them a rental for section houses of \$2 per month, which is 7 $\frac{2}{3}$  cents per day, including house rent, and on new lines where they have not had time to build section houses the Company to give them the use of a box car free of charge.

The Canadian Pacific Railway Company are paying similar section foremen \$2.55 per day and charging them \$5 per month rent for section houses, which amounts to 19 $\frac{17}{100}$  cents per day, making a net wage of \$2.36 per day, including house rent, so you can readily see that the offer Mr. Cameron recommended the Canadian Northern Railway to accept was to pay this class of men over 6 cents per day more than the Canadian Pacific Railway.

As the permanent labourers and sectionmen number about eight hundred and ninety (890), it would be only fair to the Canadian Northern Railway that the permanent labourers be paid \$1.70 per day, section foremen \$2.55 per day, and charged



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\$5 per month for section houses and \$2 per month when they occupied box cars, which the Company will make comfortable for them. This would be the highest wages paid by any of the railways that the Canadian Northern have to compete with.

From the evidence taken it is a pleasure to report that the Company have made every effort to provide for the comfort of their employees.

The Chairman submitted a report which I objected to signing for the following reasons:—

1st. That in my opinion, sufficient effort was not made to bring about a settlement, and this settlement could not be justly made without asking for evidence and considering the case of the men employed in every department of the maintenance-of-way.

2nd. That the report is not in accordance with what is asked for in section 26 of the Act, 'The investigation and details of each item of the dispute,' and not recommending a period during which proposed settlement should commence and end.

His report asks the Canadian Northern Railway Company to pay 5 cents a day more for permanent labourers and 6 cents a day more for section foremen than the highest wages paid by any of the railway companies they are competing with.

It was certainly surprising to me that in a dispute of this kind the employees called in men to settle it who were not residents of Canada but residents of a foreign country, and that the man recommended by them as a member of the Board of Conciliation was not a resident of the district in which the dispute has taken place.

If men that lived in this country and were familiar with the conditions were called in one would readily suppose that a settlement could be arrived at much better than through men living in a foreign country.

I very much regret that the Board could not arrive at a unanimous decision and recommend settlement on the points in dispute. I would submit settlement upon the basis of the following schedule and that settlement shall commence on the first day of July, 1909, and end on the thirtieth day June, 1911.

### Agreement between the Canadian Northern Railway and its Maintenance-of-Way Employees.

SECTION 1. By permanent maintenance-of-way employees is meant men employed in the track, bridge and building department, signalmen, pumpmen and pump repairers on such parts of the line that are open for traffic, and who have been in the maintenance-of-way service continuously for one year or more, or who have had one year's cumulative service during the three years immediately preceding, and the same will hereafter be referred to as 'employees.' Labourers in extra gangs, unless practically engaged all the year round, will not be ranked as permanent employees.

SECTION 2. Ten hours shall constitute a day's work. When required to work in excess of ten hours, time and a half will be allowed for such excess work and for work done on Sundays and Christmas Day.

(a) The hours of track and bridge watchmen, and signalmen will be twelve hours in each twenty-four. Twelve hours either continuously or intermittently will constitute a day, but they shall receive at least eight hours' continuous rest in each twenty-four.

(b) At regular pumping stations, where the amount of work is such that it is necessary for pumpmen to work continuously for twelve hours in order to keep the supply up, overtime, if worked, will be paid *pro rata* up to 24 K. and between 24 K. and 7 K., at rate of time and a half.

(c) In cases of emergencies employees will not be required to work more than twenty-four hours continuously without a rest of eight hours.



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(d) Section foremen and sectionmen travelling on orders of the Company to and from work after regular working hours will be allowed straight time. Members of bridge and building gangs travelling on orders from the Company, to and from work after their regular hours, will be allowed straight time, except when provided with boarding and sleeping cars to carry them to and from work. Members of regular bridge and building gangs travelling in boarding cars at the request of the Company on Sundays between 7 a.m. and 6 p.m. will be allowed straight time.

SECTION 3. Employees taken off their regular sections temporarily to work on snow or tie trains or other work, will be compensated for the boarding and lodging expenses incurred.

(a) Bridge and building employees taken from their places of residence or boarding outfits over night will be compensated for the extra expense they necessarily incur, such expense not to exceed fifty cents per day.

SECTION 4. Employees required to attend to and light semaphore, or switch lamps, before or after regular working hours will receive therefor \$4 per month for six or less lamps, and 50 cents per lamp per month for those in excess of six. When lamps are located beyond the yard limit, they will be attended to during regular working hours.

SECTION 5. Employees will be promoted hereafter on their respective superintendent's divisions in order of seniority, provided they are qualified. The several senior qualified employees shall be advised of all vacancies in the position of foremen, and their applications, if presented within five days after being notified, will be considered. Employees may be transferred from one division to another for extra gang work or on opening of new lines, or when the necessary qualified men for maintenance-of-way work are not obtainable on the division.

(a) In promoting employees to the position of roadmaster or bridge and building master, men may be taken from any point on the system, according to seniority, if competent.

(b) Employees refusing promotion will become junior to those accepting such promotion.

(c) An employee, who is transferred to another department, or from the bridge and building department to the track department, or vice versa, at his own request, will lose his seniority standing.

(d) Employees unable to read or write English need not be promoted.

(e) A list of all employees will be prepared for each superintendent's division, and such lists will show the seniority standing of each employee. The lists will be revised from time to time to agree with the length of service and promotions made, and a copy will be furnished to the employee's representative, which will be open for inspection and correction on proper representation.

(f) In the event of a reduction in the number of men employed, those longest in the service shall be given preference of employment.

(g) The position of track and bridge watchman and signalmen is not one subject to the general rules of promotion, being intended to take care of men in any department who become unfitted for other service.

SECTION 6. Leave of absence and free transportation will be granted to members of duly appointed committees for the adjustment of matters in dispute between the Company and employees so far as is consistent with good service, within ten (10) days after request in writing has been made on the proper officers.

SECTION 7. Employees suspended or dismissed, who consider they have been unjustly treated, will receive full and impartial hearing, and will be advised of decisions reached within fifteen days after the time of their suspension or dismissal. Should the investigation show that the suspension or dismissal was unjust, time will be



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allowed and employee reinstated. Appeals from decisions must be made in writing by the employee through his roadmaster or bridge and building master within fifteen (15) days after being advised of such decision.

(a) Permanent employees, leaving the service of the Company, from any cause whatever will be furnished with service letter if requested.

SECTION 8. Employees will be granted leave of absence four times a year. Such free transportation will not extend beyond their superintendent's division, and the leave of absence will not exceed two days, and then only when consistent with good service, and provided the Company is not put to any additional expense.

SECTION 9. Permanent employees will be granted once per year transportation to any system in favour of themselves and members of their families, dependent upon them for support.

SECTION 10. The Company will keep all section houses in good repair, the cost of repairs, other than ordinary wear and tear, to be charged to occupants.

SECTION 11. Where water is transported for use of section gangs, good water will be provided.

SECTION 12. A member of the household of permanent employees will be furnished with free transportation once a month to and from points where reasonable prices prevail, for the purpose of purchasing supplies. Such transportation may be used by any member of the family only.

SECTION 13. Free transportation will be granted to nurses, when their services are required by employees in isolated districts from points where they are obtainable, on presentation of a certificate from attending physician.

SECTION 14. Bridge and building gangs shall be composed of:—

1st. Foremen.

2nd. Carpenters, who shall be skilled mechanics in house and bench work, and have a proper kit of carpenter's tools.

3rd. Bridgemen, who shall be rough carpenters, expert saw and hammer-men, and have a general experience in bridge work.

## RATES OF PAY FOR TRACKMEN.

*Yard foremen—*

	Per day.
Port Arthur, Winnipeg and Edmonton.. . . .	\$ 2 75

*Yard foremen—*

Atitokan, Rainy River, Portage la Prairie, Dauphin, Kamsack, Humboldt, N. Battleford, Vermilion, Emerson, Belmont, Brandon, Swan River, Prince Albert, Saskatoon, Neepawa, Morris, Fort Francis, Moranville and Kipling.. . . .	2 60
At all other points.. . . .	2 55
Sectionmen or permanent labourers on entire system except Port Arthur, Winnipeg, Dauphin and Edmonton.. . . .	1 70
At Port Arthur, Winnipeg, Dauphin and Edmonton.. . . .	1 75
Assistant foremen.. . . .	2 50
Section foreman in charge of snow plough or flanger.. . . .	3 20
Foremen in charge of extra gangs.. . . .	\$2 50 to 3 45

*Rates of pay for signalmen—*

Signalmen at crossings.. . . .	1 50
Signalmen at interlocking crossings.. . . .	1 75



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*Rates of pay for bridge and building men—*

	Per day.
Foremen.. . . . .	\$3 20 to \$3 45
Carpenters.. . . . .	2 80 to 3 00 •
Bridgemen.. . . . .	2 15 to 2 80
Labourers.. . . . .	

*Rates of pay for pumpmen—*

	Per month.
Pumpmen, one pump.. . . . .	\$48 00
Pumpmen, two pumps.. . . . .	53 00
Pumpmen, three pumps.. . . . .	58 00
Pump repairers.. . . . .	92 00

These rules will not take away any privileges that are now in effect with employees except that a charge of \$5 per month rent be made for section houses and \$2 per month rent for box cars.

That this schedule will commence on the 1st day of July, 1909, and end on the 30th day of June, 1911.

Respectfully submitted.

(Sgd.) W. J. CHRISTIE.



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**XIV.—APPLICATION FROM CANADA WEST COAL COMPANY, TABER, ALTA.  
—BOARD ESTABLISHED—UNANIMOUS REPORT BY BOARD—EM-  
PLOYEES CEASED WORK—AGREEMENT CONCLUDED BASED ON  
REPORT OF BOARD.**

*Application received.*—June 15, 1909.

*Parties concerned.*—Canada West Coal Company, Taber, Alta., and employees  
*Applicants.*—Employers.

*Nature of industry concerned.*—Coal mining.

*Nature of dispute.*—Wages and conditions of labour.

*Number of employees affected.*—300.

*Date of constitution of Board.*—July 3, 1909.

*Membership of Board.*—His Honour Judge R. Winter, Lethbridge, Alta., Chairman, appointed on the recommendation of the other members of the Board; Mr. Colin MacLeod, Macleod, Alta., appointed on the recommendation of the employing Company; and Mr. W. C. Simmons, Lethbridge, Alta., appointed on the recommendation of the employees.

*Report received.*—July 19, 1909.

*Result of inquiry.*—A unanimous report was presented by the Board. An agreement based on the findings of the Board was subsequently signed by the parties concerned, effective from July 30, 1909, to March 31, 1911. The employees who had been on strike from April 23 returned to work on July 30.

The Minister received, on July 19, a report signed by the three members of the Board to which was referred, on July 2, the dispute between the Canada West Coal Company, Limited, of Taber, Alberta, and its employees. The cause of the dispute in question was defined in the Company's application for the establishment of this Board as a failure to agree upon the terms and conditions of a working agreement which expired on March 31, 1909. The number of employees affected was, directly, 300, and indirectly, more than 5,000.

Mr. Colin MacLeod, of Macleod, Alberta, was appointed a member of the Board on the recommendation of the Company, and Mr. W. C. Simmons, of Lethbridge, Alberta, on the recommendation of the employees. His Honour Judge Winter, of Lethbridge, was appointed Chairman on the joint recommendation of the other two members of the Board. The Board, on assembling at Taber, on July 8, inquired whether the respective parties would agree to be bound by the findings. The report of the Board stated that the representatives of the Company expressed their assent, while the representative of the employees stated that they did not care to be bound by the decision.

The questions at issue related to the wages and contract prices, and including (a) whether coal was to be computed at 2,240 pounds or at 2,000 pounds; (b) whether coal was to be paid for on the screened weight or unscreened weight. An effort was made to adjust the dispute by conference between the parties, but as no settlement was achieved in this way the Board met on July 9 for the hearing of evidence.

The report stated that the employees of the Canada West Coal Company ceased work on April 22, and that up to that date the wages were paid on the basis of tonnage of unscreened coal at 2,240 pounds to the ton. The report says: 'The Company



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contended that the coal should be screened and were willing that the ton should be calculated at 2,000 pounds, urging that this would be fair to the employees and to themselves, on the grounds that the payment for unscreened coal tended to make the men careless in getting the coal if they were paid by the weight irrespective of whether such coal was made up of saleable coal, or coal partly saleable (such as lump coal) and of slack or dust, which passed through the screen and was unsaleable. The employees, on the other hand, claimed that if they were paid on the screened coal basis they would not be getting paid for all the coal which they produced, as a certain percentage, *i.e.*, in respect of the slack or screenings, would be lost to them.

The Board found that the appliances for screening coal at the Company's mine are not adequate in their present state to carry out the operation of screening with fairness to the miners, but the Company's representatives stated that it was intended, as soon as practicable, to adopt methods similar to those in use at the Galt mines at Lethbridge to screen the coal. The Board recommended, therefore, that until such change was completed the rates for outside day wages, inside day wages and the contract prices for unscreened coal at 2,240 pounds to the ton, hitherto used, should apply between the Company and its employees, and that so soon as the Company has installed screens of similar construction and equal to the diamond bar  $\frac{3}{4}$ -inch screens now in use at the Galt mines, Lethbridge, that contract prices for screened coal at 2,000 pounds to the ton, set forth in an attached schedule, shall be substituted for the rates now in force.

The Board recommended that the employees resume work on the above basis, and that the terms hereby recommended be continued until March 31, 1911.

The Department of Labour was informed on August 7, by the representative of the employees that negotiations for a settlement were continued after the findings of the Board were communicated to the parties and that an agreement was signed on July 31, operations in the mine being resumed on the Monday following, August 2.

### REPORT OF BOARD.

The text of the findings of the Board is as follows:—

In the matter of the Industrial Disputes Investigation Act, 1907, and in the matter of differences between the Canada West Coal Company, of Taber, Alta., and its employees.

The Board constituted under the provisions of the above Act attended at Taber on the 8th July, 1909, when the members took the oaths of office before Mr. S. J. Layton, J.P.

Messrs. Valdar S. Kidd, Lewis Stockett and O. E. S. Whiteside appeared as representatives for the Canada West Coal Company.

Messrs. C. Stubbs, H. Evans and D. L. Miller appeared as representatives for the employees.

At the opening of the reference the respective parties were asked whether they would agree to be bound by the decision of the Board. In reply to this inquiry the representatives of the Company expressed their assent, while the representatives of the employees stated 'that they did not care to be bound by the decision.'

The questions at issue between the parties appeared to consist of the prices to be paid by way of wages and contract prices to the employees, including in such questions (a) whether the coal was to be computed at 2,240 pounds or at 2,000 pounds; (b) whether the coal was to be paid for on the screened weight or unscreened weight of such coal.

In view of the differences being comparatively limited in extent, the representatives were requested to prepare particulars in support of their respective contentions and discuss the matters in difference between them at a conference apart from the Board, to whom they were to report later in the day.



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Particulars accordingly were furnished by both parties, but the employees' representatives were unwilling to accept the condition providing for payment on the screened coal basis. A further adjournment was then made in order that the representatives of the employees might confer with the general body of the employees, and obtain full instructions as to making further concessions, and if possible come to an agreement.

On the following morning, July 9, 1909, the Board met again, all the representatives being present, and it appearing that a solution of the points at issue could not be arrived at, evidence was adduced on behalf of both parties, occupying the whole of that day (July 9, 1909), after which the Board desired to hear evidence relating to the Galt mines at Lethbridge, it being conceded that the general conditions there were similar to those at the mine of the Company at Taber.

Accordingly, on the 10th of July, 1909, the Board met at Lethbridge and received further evidence on behalf of both parties, and then adjourned to the 13th July instant for the purpose of making this report.

The employees of the Canada West Coal Company ceased working at the end of the 22nd day of April, 1909. Up to that date it appeared from the evidence that the wages paid to the employees for coal mined by them was paid on the basis of the tonnage of unscreened coal, the ton being calculated at 2,240 pounds to the ton. The Company contended that the coal should be screened and were willing that the ton should be calculated at 2,000 pounds to the ton, urging that this would be fairer to the employees and to themselves on the grounds that the payment for unscreened coal tended to make the men careless in getting the coal, if they were paid by weight irrespective of whether such weight was made up of saleable coal, or coal partly saleable (such as lump coal) and of slack or dust which passed through the screen and was unsaleable. The employees, on the other hand, claimed that if they were paid on the screened coal basis they would not be getting paid for all coal which they produced, as a certain percentage, *i.e.*, in respect of slack or screenings would be lost to them.

This point was practically the principal issue between the parties.

The table of rates of wages paid to the miners up to the 22nd April, 1909, when the mines ceased to be worked, is divided under three heads, *viz.*:—

1. Outside day wages.
2. Inside day wages.
- Contract prices.

As regards the first two heads no dispute arises, but the screening of coal will affect the items included under the third head.

At this time it appears to be beyond question that the appliances for screening coal at the Company's mine are not adequate in their present state to carry out the operation of screening with fairness to the miners, but the Company's representatives stated that it was intended as soon as practicable to adopt methods similar to those in use at the Galt mines at Lethbridge to screen the coal.

The Board, therefore, recommended that:—

(a) Until such change is completed, the rates shown under heads 1, 2 and 3 of the table of rates hitherto used, and which is subjoined, shall apply between the Company and its employees, and that as soon as the Company has installed screens of similar construction and equal to the diamond bar  $\frac{3}{4}$ -inch screens now in use at the Galt mines at Lethbridge, the rates under head No. 4 shall be substituted for those under head No. 3.

(b) That in the event of any work not being included in such table of rates, the rates applicable on the 22nd April, 1909, between the same parties shall apply.

(c) That the employees resume work now on the above basis and that the terms hereby recommended be continued until the 31st day of March, 1911.



The table of rates above referred to is as follows:—

1. *Outside day wages—*

	10 hours.
Dumpers.. . . . .	\$ 2 00
Car trimmers.. . . . .	2 00
Screen engine tender.. . . . .	None.
Box car loader engine.. . . . .	3 00
Timberman.. . . . .	2 00
Blacksmith.. . . . .	3 00
Blacksmith's helper.. . . . .	\$2 00 to 2 50
Leading carpenter.. . . . .	3 50
Car repairers.. . . . .	2 50
Haulage engineer.. . . . .	3 00
Leading fireman.. . . . .	2 75
Fireman helpers and ash wheelers.. . . . .	2 00

2. *Inside day wages—*

	8 Hours.
Bratticemen.. . . . .	\$ 3 00
Bratticemen helpers.. . . . .	2 50
Timbermen.. . . . .	3 00
Timbermen helpers.. . . . .	2 50
Drivers.. . . . .	2 80
Tracklayers.. . . . .	3 00
Tracklayer's helpers.. . . . .	2 50
Miners.. . . . .	3 00
Pumpmen.. . . . .	3 00
Pushers.. . . . .	2 50
Pick carrier boys.. . . . .	\$1 10 to 1 25
Trappers.. . . . .	1 10

3. *Contract prices—Unscreened coal—2,240 lbs. to the ton—*

Cutting and scraping in rooms.. . . . .	\$ 0 30 per ton
Cutting and scraping narrow work.. . . . .	0 42½ "
Loading in rooms.. . . . .	0 50 "
Loading narrow work.. . . . .	0 82½ "
Loaders square booms, entries.. . . . .	0 20 per set.
Loaders round booms, entries.. . . . .	0 50 "

4. *Contract prices—Screened coal—2,000 lbs. to the ton—*

Cutting and scraping in rooms.. . . . .	\$ 0 24 per ton.
Cutting and scraping narrow work.. . . . .	0 35 "
Loading in rooms.. . . . .	0 50 "
Loading narrow work.. . . . .	0 77 "
Loading square booms, entries.. . . . .	0 20 per set:
Loaders round booms, entries.. . . . .	0 50 "

Dated at Lethbridge this 13th day of July, 1909.

(Sgd.) ROLAND WINTER,  
Chairman.

(Sgd.) COLIN MACLEOD,  
(Sgd.) W. C. SIMMONS.



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**XV.—APPLICATION FROM LABOURERS EMPLOYED BY THE CORPORATION OF SASKATOON, SASK.—BOARD ESTABLISHED—NO CESSATION OF WORK.**

*Application received.*—July 8, 1909.

*Parties concerned.*—Corporation of Saskatoon, Sask., and labourers in its employ.

*Applicants.*—Employees.

*Nature of industry concerned.*—Municipal public utilities.

*Nature of dispute.*—Wages and conditions of labour.

*Number of employees affected.*—Directly, 150; indirectly, 150.

*Date of constitution of Board.*—August 4, 1909.

*Membership of Board.*—Mr. E. J. Meilicke, Dundurn, Sask., Chairman, appointed by the Minister in the absence of any joint recommendation from the other members of the Board; Mr. Alex. Smith, Saskatoon, Sask., appointed on the recommendation of the corporation of Saskatoon; and Mr. E. Stephenson, Winnipeg, Man., appointed on the recommendation of the employees.

*Report received.*—September 9, 1909.

*Result of inquiry.*—No cessation of work.

The Minister received, on September 6, the report of the Board established in the matter of a dispute between the corporation of the city of Saskatoon, Sask., and certain labourers, members of the Saskatoon Federal Labour Union No. 12,801. The report as received was signed by Mr. E. J. Meilicke, of Dundurn, Sask., Chairman, and by Mr. Alexander Smith, of Saskatoon, Sask., member appointed on the recommendation of the city. The name of Mr. E. J. Stephenson, member appointed on the recommendation of the employees, was not appended to the report, but at the close of the month, no dissenting report had been received from Mr. Stephenson.

The differences referred for investigation were set forth in the report of the Board as follows, namely:—

1. That 25 cents per hour be the minimum rate of pay for all unskilled labour;
2. That all contractors or corporations conducting public works shall furnish adequate cribbing after a depth of six feet; also that the board of works shall acquaint the above-mentioned contractor or corporation with the Saskatchewan Workmen's Compensation Act;
3. That it be mentioned in all contracts that residents be employed as far as possible;
4. That all public works shall provide proper sanitary arrangements for employees;
5. That all contractors and corporations shall pay employees fortnightly and not keep more than one day's pay on hand. Also that the aforementioned pay shall be in cash, and not in the form of cheques.

The number of employees affected by this dispute was 150 directly and 150 indirectly. Mr. Edward J. Stephenson, of Winnipeg, Man., and Mr. Alexander Smith, of Saskatoon, Sask., were appointed members of the Board on the recommendation respectively of the employees concerned and of the civic authorities of Saskatoon, and in the absence of a joint recommendation from the foregoing, the Board was completed, on August 4, by the appointment by the Minister of Labour of Mr. E. J. Meilicke, of Dundurn, Sask., as Chairman. The Board held fifteen



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sessions in all, and heard twenty-three witnesses in support of the employees' complaints, and nine on behalf of the city of Saskatoon, the points in dispute being taken up in turn until all were disposed of as far as possible. In the report of the Board it is stated that 'the parties to the dispute reached an agreement on all the differences except the minimum wage scale and recognition of the Federal labour union.'

The department was not informed whether the findings of the Board were acceptable to the parties concerned, but it was understood that no cessation of work had taken place.

### REPORT OF BOARD.

The text of the findings of the Board of Conciliation and Investigation in this matter is as follows:—

Saskatoon, Sask., Sept. 4, 1909.

To the HONOURABLE MACKENZIE KING,  
Minister of Labour,  
Ottawa.

SIR,—On the 3rd of July, 1909, an application was made for the appointment of a Board of Conciliation and Investigation to adjust differences between the members of the Saskatoon Federal Labour Union No. 12,801 and the corporation of the city of Saskatoon, Saskatchewan. The application was made on behalf of the employees and signed by Alfred J. Sibley and Albert E. Edjington, both of the city of Saskatoon.

The Board, which was duly constituted on August 13, 1909, consisted of E. Stephenson, Winnipeg, recommended by the employees, Alexander Smith, of Saskatoon, recommended by the corporation of the city of Saskatoon, and E. J. Meilicke, of Dundurn, appointed by the Minister of Labour. Honore Jaxon, A. J. Sibley and Francis Kuntz, president of the Federal Labour Union, appeared on behalf of the labourers, and Mayor Hopkins and Alderman McIntosh, chairman of the Board of Works, appeared on behalf of the city.

The Board held its first session in the Court House, Saskatoon, on August 13, 1909, at the hour of ten o'clock a.m., having been furnished with approved copies from the Minister of Labour of the claims of the labour union and replies thereto from the corporation of the city of Saskatoon.

The points referred for investigation were analysed by the Board as follows: (1) Have senior men with equal ability been dismissed while junior men were retained? (2) Have the men been unjustly discriminated against? (3) Have they been discriminated against, in certain cases, on account of their being members of the Canadian Brotherhood of Railroad Employees? (4) Does the Board admit the claim made by the representatives of the Intercolonial railway, that the responsible officials must be the judges in the selection of the men for retention or dismissal from the employ of the railway?

In respect of the first point the Board found that in certain instances men were retained in the employ of the Intercolonial Railway who were junior to some of those dismissed, the reason for such action on the part of the Company being apparently based on qualifications for special duty possessed by some of the junior men, or on the comparative records of the men as to their conduct and ability. In the case of Joseph Gibson, one of the men dismissed, and Alexander Murphy, retained in the employ of the Company, the Board found that the evidence does not disclose any reason to show that Gibson should be considered as less able or efficient than Murphy.

In respect of the second point the Board was unable to establish to its satisfaction that any unfair discrimination had been exercised.



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In respect of the third point that discrimination had been exercised in certain cases against men on account of their being active members of the Canadian Brotherhood of Railroad Employees, the Board found that the evidence does not justify it in believing this to be the case.

With respect of the claim that the responsible officials of the Intercolonial Railway must be the judges in the selection of men for retention or dismissal, the Board admitted this claim, but at the same time deemed it necessary to point out that in dealing with a very large number of employees some instances of undue hardship imposed upon the latter will unavoidably occur. The Board advised that where men belong to a duly incorporated or recognized union which has no schedule of agreement with the railway, and that when the employees' grievances entail reference to officials who are not accessible to the men at the place where they are employed they should be allowed to present them through the medium of duly qualified officers of the union to which the complainants belong.

The Board, in conclusion, recognized the willingness and the good spirit shown by both parties to the dispute in procuring the evidence which was required.

## REPORT OF BOARD.

The text of the findings of the Board of Conciliation and Investigation in this matter is as follows:—

In the matter of the Industrial Disputes Investigation Act, 1907, and in the matter of differences between the Intercolonial Railway and certain of its round-house employees, members of the Canadian Brotherhood of Railroad Employees, Division No. 15.

To the Honourable

THE MINISTER OF LABOUR,  
Ottawa, Ont.

SIR,—We, the undersigned members of the Board of Conciliation and Investigation, appointed by you on the 25th of September, 1909, in the above matter, beg respectfully to submit the following report:—

The members of the Board first met in the Board of Trade rooms at Halifax, N.S., on the morning of the 19th of October, and, after being duly sworn, proceeded to acquaint themselves with the details of the case submitted to them, as set forth in the documents accompanying the application for the Board.

The employees had two duly authorized representatives present, but owing to a misunderstanding, the representatives of the Intercolonial Railway were absent, and the Board adjourned to the following morning, in order to have all parties present. Telegrams were sent to the Chairman of the Board of Management of the Intercolonial Railway and to the General Superintendent to inform them of this.

The Board met on the following morning, there being present, besides the three members, Messrs. Jos. Gibson and Charles Squires, delegated by the Canadian Brotherhood of Railroad Employees, Division No. 15, representing the employees, and Messrs. F. P. Brady, member of the Board of Management and General Superintendent of the Intercolonial Railway, and G. R. Joughins, Superintendent of Motive Power, representing the Company. The day was spent in discussing the points at issue with the representatives of the parties and in endeavouring to bring about an amicable settlement. The representatives of the employees submitted a list of names of men dismissed and of men retained to prove the complaint contained in the application for a Board of Conciliation and Investigation, and when the Board adjourned in the afternoon it was with the understanding that the representatives of the parties would confer together before the next meeting of the Board to see if the basis of an amicable agreement could be arrived at.



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The next morning, when the Board resumed its sitting, the parties reported that no agreement had been arrived at, and General Superintendent Brady stated that he desired the Board to pronounce on the principle of 'whether the men should be the judges of who should be retained or dismissed from the service of the railway.'

It being evident that no agreement was possible, the Board proceeded to hear the witnesses asked for by the parties and to receive the documentary evidences submitted. The testimony was taken under oath, and the documentary evidence duly attested, and this occupied the Board on the 21st, 22nd and the morning of the 23rd of October.

On the 20th of October the Chairman of the Board of Management of the Intercolonial Railway had telegraphed to our Chairman as follows:—

Ottawa, October 20, 1909.

SIR GEORGE GARNEAU,  
Halifax, N.S.

I am desirous of appearing before the Board before concluding its work to present views of management on points at issue. May I ask you to adjourn from Halifax to Montreal at conclusion, as it is impossible for me to go so far east owing to pressure of public business.

(Sgd.) M. J. BUTLER.

All the witnesses in Halifax having been heard, the Board adjourned on the 23rd of October to meet again on the 27th.

The meeting in Montreal was held in the Intercolonial offices, all the members of the Board being present, as well as representatives of the railway, and Mr. Jos. Gibson, representing the employees. Mr. Nelson M. Rand, who was master mechanic on the Intercolonial Railway when the dismissals took place, and who had been summoned as a witness, gave his evidence, and the Chairman of the Board of Management, Mr. Butler, presented the views of his Board on the principle involved in the points at issue. The investigation was then closed and the members of this Board proceeded to review the evidence and discuss the findings.

An analysis of the question submitted to the Board reduces it to the following points:—

1. Have senior men with equal ability been dismissed while junior men were retained?
2. Have the men been unjustly discriminated against?
3. Have they been discriminated against, in certain cases, on account of being members of the Canadian Brotherhood of Railroad Employees?
4. Does the Board admit the claim made by the representatives of the Intercolonial Railway that the responsible officials must be the judges in the selection of the men for retention or dismissal from the employ of the railway.

The following is the unanimous opinion of the Board:—

1. The Board finds that, in some instances, men were retained in the employ of the Intercolonial who were junior to some of those dismissed, the reason for such action on the part of the Company being apparently based on qualifications for special duty possessed by some of the junior men, or on the comparative records of the men as to their conduct and ability.

Nevertheless, in the case of Joseph Gibson, one of the men dismissed, and Alex. Murphy, retained in the employ of the Company, a careful comparison of the records and evidence before the Board establishes that Gibson was the senior man in length of service and does not disclose any reason to show that he should be considered as less able or efficient than Murphy.



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The Board cannot establish to its satisfaction that unfair discrimination has been exercised. The manner in which the selection of the names of the round-house employees, to be retained in the service or dismissed was made could not be clearly established by the investigation, and, under these circumstances, the Board recommends that the seniority and qualifications of the roundhouse employees who have been dismissed be carefully looked into by the higher officials of the railway and compared with those of the men in the same class who have been retained, so that any involuntary injustice which might have been committed be remedied without unnecessary delay.

The differences referred for investigation were demands on the part of the employees, as follows, viz.:—

1. That 25 cents per hour be the minimum rate of pay for all unskilled labour.
2. That all contractors or corporations conducting public works shall furnish adequate cribbing after a depth of six feet; also that the Board of Works shall acquaint the above-mentioned contractor or corporation with the Saskatchewan Workmen's Compensation Act.
3. That it be mentioned in all contracts that residents be employed as far as possible.
4. That all public works shall provide proper sanitary arrangements for employees.
5. That all contractors and corporations shall pay employees fortnightly and not keep more than one day's pay on hand. Also, that the aforementioned pay shall be in cash, and not in the form of cheques.

The city's replies to the complaints are as follow, viz.:—

1. The corporation pays 20 cents per hour for unskilled labour. This is the full value of such labour in Saskatoon.
2. All trench work done by it is substantially and carefully protected with cribbing.
3. It employs resident labourers as far as possible.
4. No complaint has ever been made to the city engineer of lack of sanitary arrangements.
5. Wages were paid regularly every fortnight.
6. Employees are never discharged without a satisfactory reason.
7. The civic works are properly inspected, and due care taken of the life, limb and health of the employees.
8. The accident mentioned in the application, by the caving in of trenches, did not happen upon works carried on by the corporation.
9. The proposal that the Board of works shall acquaint contractors with the provisions of the law is quite unreasonable. Firms and corporations can acquaint themselves with the public statutes, and the workmen's unions may do so in case they think their interests require it.
10. A clause is inserted in all corporation contracts requiring resident labourers to be employed as far as possible.

After several exchanges of ideas as to how to proceed, it was decided that each party to the dispute be heard, and evidence submitted under oath dealing with the several points in dispute.

The representatives of the labour unions subpoenaed several witnesses in support of their contentions, and were in turn submitted to a cross-examination by the representatives of the city. Before the Board rose at twelve o'clock noon, it was suggested by the Board that the parties to the dispute get together and try to agree on the points in which, to the mind of the Board, there did not seem to be any great difference; and if such agreement could be reached it would dispose of those issues, thus expediting the proceedings of the Board, and would obviate references to them when dealing with further witnesses.



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This suggestion was not agreed to, but insistence made that the whole evidence must be placed before the Board.

The minimum diameter of struts to be 3 inches for trenches three feet wide between the dirt; 1 inch additional in diameter for each additional foot of length of strut. No poplar wood to be used, but any other wood approved of by the engineer may be used.'

It was brought out in evidence that it is the desire of the city that workmen be protected from accidents as far as it can be made possible; inspectors continually looking after the works. As evidence that they have been fairly successful, it is known that up to the present time no accident of a serious nature occurred on the corporation works.

COMPLAINT 3.—A clause such as is asked for is already in all corporation contracts. The Board recommended that the following be added to the above clause:—

'The contractor must see that they are in possession of that information which will enable them to adhere closely to the clause. Workmen not to be imported directly or indirectly except when necessary in the public interests to carry on the work in progress or in contemplation expeditiously.'

The representative of the labour union on the Board uncompromisingly insisted that to make this clause operative to his satisfaction the Federal Labour Union as a union must be recognized. This position was interjected after all the evidence had been submitted and while the Board was engaged in making out the report; the other members of the Board taking the stand that as recognition of the union was not made in the schedule of complaints or demands, it could not be now entertained or considered by the Board.

The city maintains that as the city of Saskatoon is peculiarly situated as being the centre of a very large newly developing agricultural district, and to a very large extent at present depends on the progress of agriculture for its prosperity—this district being newly settled to a large extent by homesteaders, many of whom are men of small means who from force of circumstances at certain seasons of the year are obliged to earn by their labour that ready cash which will enable them to subsist and make the necessary improvements on their homesteads until such time as they receive returns from the product of the soil—in view of this fact, the city is averse to have any conditions imposed upon the willing worker by recognizing the claims of the union that 'none but union men be employed as long as available.' The city claims that the progress which has characterized the city would be jeopardized and the country's development as a whole would suffer in consequence.

COMPLAINT 4.—On representation being made to the city by the labourers as to the necessity of providing sanitary arrangements for their use while on works, the same were provided by the different contractors as per instructions from the Board of Works of the city, and were in use before the first sitting of the Board. Assurance was given that in future such sanitary arrangements would be provided.

COMPLAINT 5.—The city Act of the province of Saskatchewan, page 11, section 51, reads as follows:—

'The treasurer shall daily or as often as the council may direct, deposit in the name of the city in some chartered bank designated by resolution of the council, all moneys received by him in excess of \$100, and he shall jointly with the mayor sign all necessary cheques,' thus preventing the city from complying with the demands set forth in this complaint. The city agrees to have the demand as in clause 5 inserted in its entirety in all future contracts, except the words 'or corporation.'

#### COMPLAINT—DISCHARGE OF EMPLOYEES WITHOUT A REASON BEING GIVEN.

It was agreed that a reason be given when an employee was discharged, and if such reason be asked in writing that it be made in duplicate; one copy to be given to the employee, the other to be filed with the chairman of the Board of Works.



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The parties to the dispute reached an agreement on all the differences except the minimum wages scale and the recognition of the Federal Labour Union.

So long as the two parties to the dispute maintain their present attitude respecting these two clauses, conciliation is absolutely impossible. The Board has exhausted every resource within its power to bring about the much desired conciliation, but owing to the determined stand taken by both parties on the aforesaid points, such is impossible.

E. J. MEILICKE,  
Chairman.

(Sgd.) ALEX. SMITH.



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**XVI.—APPLICATION FROM ROUNDHOUSE EMPLOYEES OF THE INTER-COLONIAL RAILWAY OF CANADA AT HALIFAX, N.S.—BOARD ESTABLISHED—UNANIMOUS REPORT BY BOARD—STRIKE AVERTED.**

*Application received.*—August 11, 1909.

*Parties concerned.*—Intercolonial Railway of Canada and its round-house employees.

*Applicants.*—Employees.

*Nature of industry concerned.*—Railways.

*Nature of dispute.*—Alleged discrimination against certain employees.

*Number of employees affected.*—Directly, 20; indirectly, 1,000.

*Date of constitution of Board.*—September 25, 1909.

*Membership of Board.*—Sir George Garneau, Kt., Quebec, Que., Chairman, appointed by the Minister in the absence of any joint recommendation from the other members of the Board; Mr. Jas. H. Gilmour, Brockville, Ont., appointed by the Government Railways Managing Board; and Mr. Aaron A. R. Mosher, Halifax, N.S., appointed on the recommendation of the employees.

*Report received.*—November 17, 1909.

*Result of inquiry.*—A unanimous report was presented by the Board, making certain recommendations for the settlement of the dispute which were accepted by both parties concerned; a strike being thereby averted.

The Minister received, on November 17, the report of the Board established in the matter of differences between the Intercolonial Railway of Canada and certain of its round-house employees, members of the Canadian Brotherhood of Railroad Employees, Division No. 15, Halifax. The report in question was signed by the three members of the Board, viz.: Sir Geo. Garneau, of Quebec, Que., Chairman; Mr. Jas. H. Gilmour, of Brockville, Ont., member; Mr. Aaron A. R. Mosher, of Halifax, N.S., member.

In a letter dated November 26, the Department of Labour was advised of the acceptance of this report by the Government Railways Managing Board, and on December 2, a letter was received in the following terms, signifying the acceptance of the report by the employees concerned:

CANADIAN BROTHERHOOD OF RAILROAD EMPLOYEES.

Halifax, N.S., November 29, 1909.

F. A. ACLAND, Esq.,

Deputy Minister of Labour,  
Ottawa, Ont.

DEAR SIR,—I beg to advise you that at a meeting of Division No. 15, Canadian Brotherhood of Railroad Employees, held Thursday, 25th inst., a resolution was unanimously passed accepting the findings of the Board of Conciliation and Investigation appointed to inquire into the differences between this division and the Intercolonial Railway.



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The division also wishes to express its sincere appreciation of the manner in which the Board conducted the case and for the consideration shown our representatives by the members of the Board.

Yours truly,

(Sgd.) CHAS. McTIERNAN,  
Chairman of Grievance Committee, Division,  
No. 15, Canadian Brotherhood Railway  
Employees, Halifax, 257 Campbell Road.

It having appeared, in the course of the investigation, that undue interference was suspected on the part of certain political organizations or committees in connection with the selection of the names for dismissal or retention, the Board finds that all the sworn evidence heard before it tended clearly to disprove any such interference.

3. On the question of discrimination, in certain cases, having been exercised against the men on account of their being active members of the Canadian Brotherhood of Railroad employees, the evidence before the Board does not justify it in believing this to be the case.

4. The railway company, through the chairman of the Board of Management and one of the other members, strongly urged the claim that the officials of the Company must be the judges of the qualifications of the men in its employ for retention or dismissal. The Board admits this claim, but at the same time it deems it necessary to point out that, in dealing with a very large number of employees, some instances of undue hardship imposed upon the latter will unavoidably occur. The higher officials of the railway state that they are always willing to investigate complaints on the part of the men, and that such complaints may be carried up, through the chain of responsible officials, to the general superintendent, or even to the Board of Management. This, on principle, is eminently fair and just, but in practice it will be found, in many instances, to entail on the men concerned expenses which are beyond their reasonable means. It is, therefore, the opinion of the Board that when the men belong to a duly incorporated or recognized union which has no schedule of agreement with the railway, and when their grievances entail reference to officials who are not accessible to the men at the place where they are employed, they should be allowed to present them through the medium of the duly qualified officers of the union to which the complainant belongs.

The Board desires to acknowledge the willingness and good spirit shown by both parties to the dispute in procuring the evidence required by it.

We have the honour to be, sir, your obedient servants,

(Signed) J. GEO. GARNEAU,  
Chairman.

“ A. R. MOSHER,  
“ J. H. GILMOUR,

Quebec, November 12, 1909.



**XVII.—APPLICATION FROM FREIGHT HANDLERS EMPLOYED BY THE  
CANADIAN PACIFIC RAILWAY COMPANY AT FORT WILLIAM, ONT.  
—BOARD ESTABLISHED—UNANIMOUS REPORT BY BOARD—  
AGREEMENT CONCLUDED.**

*Application received.*—August 18, 1909.

*Parties concerned.*—Canadian Pacific Railway Company and its freight handlers at Fort William, Ont.

*Applicants.*—Employees.

*Nature of industry concerned.*—Transportation.

*Nature of dispute.*—Wages and conditions of labour.

*Number of employees affected.*—700.

*Date of constitution of Board.*—August 20, 1909.

*Membership of Board.*—Mr. S. C. Young, Fort William, Ont., Chairman appointed on the joint recommendation of the other members of the Board; Mr. W. J. Christie, Winnipeg, Man., appointed on the recommendation of the employing Company; and Mr. W. T. Rankin, Fort William, Ont., appointed on the recommendation of the employees.

*Report received.*—August 30, 1909.

*Result of inquiry.*—Employees, for most part foreigners, had gone on strike in ignorance of the Act, but returned to work on applying for Board. Board's recommendations for settlement were accepted by both parties concerned. No further cessation of work occurred.

On August 12 the Minister of Labour having been apprised of the occurrence of a strike on the part of freight handlers to the number of 700 employed on the Canadian Pacific Railway Company at Fort William, Ont., opened communication through His Worship Mayor Peltier, of Fort William, with the parties concerned, as a result of which Mr. F. A. Acland, Deputy Minister of Labour, was commissioned on August 15 to proceed to Fort William to lend the good offices of the department towards effecting, if possible, an adjustment of the dispute. The differences in question related to the demands of the freight handlers for increased rates of pay and for the discontinuance of a bonus system by which one cent per hour of their wages was held by the Company until the completion of the season's work.

On August 18 the deputy minister informed the Minister of Labour from Fort William that formal application had been made by the employees for the establishment of a Board under the Industrial Disputes Investigation Act. In this message the deputy minister also announced that the strikers had all returned to work and that troops which had been called out for the preservation of order had been withdrawn. A Board was accordingly established without delay, composed of Mr. W. J. Christie, of Winnipeg; Mr. W. T. Rankin, of Fort William, and Mr. S. C. Young, of Fort William, the latter being appointed chairman on the joint recommendation of Messrs. Christie and Rankin. On August 24, six days after the application had been transmitted to the department, a unanimous report was made by the Board in terms which were understood to be acceptable to both parties to the dispute.



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## REPORT OF THE DEPUTY MINISTER.

A full account of the circumstances attending this dispute and of the means adopted to effect a settlement is contained in a report of the Deputy Minister of Labour to the Minister of Labour in the following terms:—

Ottawa, August 26, 1909.

To the HONOURABLE THE MINISTER OF LABOUR,  
Ottawa, Ont.

SIR,—I have the honour to present a report relating to the differences between the Canadian Pacific Railway Company and the longshoremen in its employ at the port of Fort William, Ont., and to the action of the department with regard thereto.

On Sunday, the 15th instant, I received from you verbal instructions, subsequently confirmed by writing, to proceed to Fort William, Ont., and to lend the good offices of the department in promoting a settlement of the differences above mentioned, and on the following day I left for the scene of the dispute, arriving there on the evening of Tuesday the 17th instant.

The following telegrams show more precisely the nature of the mission:—

1. From Mr. Frederick Urry, correspondent of the *Labour Gazette* at Port Arthur, and secretary of the Trade and Labour Council at Port Arthur, to Hon. W. L. Mackenzie King, Minister of Labour, dated Port Arthur, August 14:—‘Strike committee of freight-handlers, Fort William, request your presence here to hear their grievances and effect settlement. Wire reply.’

2. From Hon. W. L. Mackenzie King, Minister of Labour, to Mr. Frederick Urry, Port Arthur, Ont., dated Ottawa, August 15:—‘Your telegram of last night received this morning. The deputy minister, Mr. F. A. Acland, will leave for Fort William immediately to lend the good offices of the department towards effecting a settlement of the Fort William dispute. Mr. Acland was instrumental in effecting under similar circumstances a settlement of a longshoremen’s dispute at Montreal two years ago, and I bespeak for him the confidence of each of the parties.’

It will be well to set down briefly the leading features of the dispute up to the exchange of telegrams leading to the intervention of the department. My statements on these points are necessarily based on inquiries made after my arrival at Fort William and not on personal observation, but I am satisfied of their substantial accuracy.

There are about 700 men receiving employment to a varying degree as freight-handlers at the freight sheds of the Canadian Pacific Railway Company at Fort William, Ont. These men are of numerous nationalities, the prevailing races being Russians, Hungarians, Austrians, Greeks, Italians and Ruthenians, with a sprinkling of English-speaking men. The rate of wages paid during the present season up to the time of the dispute has been 17½ cents per hour for day work and 20 cents per hour for night work, with an additional cent for each hour worked, given as a bonus at the end of the season to the men who remained on duty until that time arrives. The object of the bonus is obviously to induce the men to hold themselves available for duty to a later date than they might otherwise be disposed to regard as desirable. The system is identical with that adopted in the case of the Montreal longshoremen three years ago on the recommendation of the Board of Conciliation and Investigation then established to adjust the dispute between the longshoremen and the Shipping Federation of Canada, but the amount of bonus paid at Montreal is 2½ cents on each hour worked. It is not within the scope of the present mission to pronounce in any way upon the question of the adequacy of the rate of wages that had prevailed at Fort William from the beginning of the season or on the effectiveness or desirability of the bonus system, but it may be remarked generally that the rate of wages paid to freight-handlers and longshoremen appears to depend to a considerable extent upon the degree of permanence afforded by the work at the respective ports. Where the work



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is most irregular there, usually, the wages rule highest the transportation companies concerned could not otherwise secure men for prompt service when occasion requires. The rate payable is, of course, again affected by the prevailing local rate for ordinary labour. The question of the degree of hardship imposed on the men by a bonus system which holds them to the employing company until the end of the season regardless of the amount of work received, unless the extra remuneration involved be sacrificed, similarly depends largely on local conditions and on the character of the men employed, and is not one concerning which any general pronouncement may be made with advantage.

During the present season work appears to have proceeded quietly enough at the rate mentioned above until Saturday, August 7. The officials of the Company report that no representations were made to them concerning grievances, nor do the men claim that any such representations were made, save, it was subsequently stated on behalf of the men (though denied by the Company), in case of some individual employees who had objected to certain of the foremen that the rate of pay was inadequate to the work. The employing Company appears, therefore, to have been taken completely by surprise when on Monday, August 9, the men suddenly and without any formal warning to the Company ceased work, and it is quite certain that the community of Fort William generally was unprepared for such conditions. The result of the refusal of the men to work was to derange the shipping facilities of Fort William and to threaten a tie-up of steamers that might be in port or might come to port.

#### APPLICATION OF INDUSTRIAL DISPUTES INVESTIGATION ACT.

The industry involved being one involving transportation facilities brought the dispute within the province of the Industrial Disputes Investigation Act, 1907, and the men were not complying with the terms of the Act in ceasing work before the differences between them and their employers had been referred for investigation to a Board of Conciliation and Investigation. The men involved were, as has already been pointed out, very generally foreigners, and with perhaps few exceptions without more than the rudiments of education. It does not appear that they were, as a rule, new arrivals, and many of them had lived for some years at Fort William and had been engaged for several seasons in the work of freight handling. There seems good ground for accepting, however, the claim subsequently advanced by the leaders of the men that they were unaware of the existence of the Industrial Disputes Investigation Act, and that had they known the requirements of this Act they would not have ceased work without their grievance having been first investigated.

During the two or three days following immediately after the strike, more or less informal conferences took place between the representatives of the men and the officials of the Company. The Company is represented locally by Superintendent J. Graham, but Mr. J. T. Arundel, general superintendent of the Central division of the Canadian Pacific Railway, reached Fort William on Tuesday, August 10, and Assistant General Manager Bury came to the scene of the dispute a day later. The higher officials assumed the direction of affairs, so far as the Company was concerned, during their stay in Fort William. The demands of the men as formulated were briefly as follows:—

1. An increase of pay. 2. An abolition of the bonus system. 3. Better treatment from the foremen.

The strikers carefully picketed the approaches to the C. P. R. sheds from day to day, and it being reported that some of the strikers were carrying firearms a search was made by the city police, one man on whom was found a Colts' revolver being arrested. Mr. L. L. Peltier, mayor of Fort William, received a deputation of the strikers on Tuesday morning, August 10, at the City Hall, several hundred men being present.



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Bosco Dominico, an Italian, acted as interpreter, and spoke for the demands of the men and the mayor in reply, as reported in the local press, promised to do all that lay in his power to promote an understanding. He strongly condemned the carrying of firearms and urged that the men go back to work and leave the dispute to be discussed by a Conciliation Committee of which he was quite willing to be one. If this committee failed, the mayor recommended that the dispute should be referred for adjustment under the Industrial Disputes Investigation Act, the nature of which he explained.

The mayor appears to have immediately commenced negotiations with the Company, and the differences were in a fair way to settlement without a reference to the Industrial Disputes Investigation Act when on Thursday morning, August 12, an unfortunate incident occurred. About 30 special constables had been brought down from Winnipeg by the C. P. R. management for the purpose of protecting the property of the Company. The constables were sworn in on Thursday morning before Magistrate Palling, of Fort William, and taken to the Company's boarding house near the freight sheds. The arrival of the special constables appears to have had an irritating effect on the strikers, some of whom believed or professed to believe that the new arrivals were strike breakers and not constables.

## COLLISION BETWEEN STRIKERS AND CONSTABLES.

The Company seems to have followed the customary procedure in this matter, and it has not been seriously suggested that the powers conferred upon them under such conditions by the provincial laws were in any way exceeded. It would seem possible, however, that a less prominent display of force would have been dictated by prudence and might have helped to avert the calamity that followed, and it is at least arguable whether the public interests do not demand such an amendment of the law as would require that the consent of the public officers responsible for the peace of the community should be procured before so large a body of armed men is brought within the limits of the municipality concerned.

While the C. P. R. special constables were breakfasting, the strikers gathered around in considerable force and on the emergence of the constables an altercation ensued, which developed quickly into the active use of firearms, with the result that many persons were severely injured. Eleven constables were wounded and taken to the hospital, and several of the strikers are believed also to have been wounded and taken away by their comrades; no wounded strikers were taken to the hospital. Mayor Peltier, when the news of the shooting reached him, was in the act of negotiating a settlement with the C. P. R. officials enabling the men to return to work immediately on improved terms, with a reference to the Industrial Disputes Investigation Act in the event of further grievances developing. The mayor immediately proceeded to the scene of the outbreak and read the Riot Act and issued then the call for the militia, the magistrates signing the requisition with him being Messrs. Peter McKellar and G. W. Brown. A detachment 150 strong of the 96th regiment located in Fort William and Port Arthur were soon on duty and order was restored. Col. Steele, D.O.C., who was in Port Arthur at the time of the affray, assumed command, and also brought down from Winnipeg seventy-five members of the Canadian Mounted Rifles.

The presence of the Militia had a quieting effect and no further untoward incident occurred. The strike continued, and on Friday morning over a hundred men were brought in by the Company from the east and work was partially resumed at the freight sheds. Picketing was continued by the strikers, but without disorder. The bearing of the militia is on all hands reported to have been excellent. Mayor Peltier resumed negotiations looking to a settlement, and at a meeting of the men on Friday, August 13, read the following telegrams exchanged between the Minister of Labour and himself:—



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Ottawa, August 12, 1909.

MAYOR PELTIER,

Fort William, Ont.

Press despatches mention you have been endeavouring to arrange settlement of longshoremen's strike. Possibly parties are not aware that Industrial Disputes Investigation Act is applicable to this dispute and that persons violating provisions of Act are liable to prescribed penalties. Two years ago longshoremen at Montreal and Halifax, having struck without knowledge of provisions of Act, returned to work and had difficulties referred under its provisions once the same were brought to their attention. Satisfactory settlements followed. Possibly strikers at Fort William will see the wisdom of adopting a similar course. I will be pleased to establish a Board of Conciliation and Investigation forthwith if so requested. Copies of Act mailed yesterday to W. Houston, secretary of Longshoremen's Union.

(Sgd.) W. L. MACKENZIE KING,  
Minister of Labour.

Fort William, August 13, 1909.

W. L. MACKENZIE KING,  
Minister of Labour,  
Ottawa.

On August 11, by authority of Canadian Pacific Railway and over my signature and corporation seal, I made the following proposition to strikers:—If men returned to work to-day the Company's superintendent and general superintendent will meet representatives of the men to-night to endeavour to adjust any grievances and settle wage question, and if men dissatisfied they will remain working and invoke Lemieux Act. This was not accepted. Situation well in hand. May use Act yet.

(Sgd.) L. L. PELTIER, Mayor.

The mayor on Saturday, August 14, regarded normal conditions restored and requested the withdrawal of military protection. The regulars and militia were accordingly withdrawn on Saturday night. During the day the city police had arrested a number of men believed to have been implicated in the affair of the 12th instant, and the men arrested were taken to Port Arthur for trial.

#### DISPUTE REFERRED UNDER INDUSTRIAL DISPUTES INVESTIGATION ACT.

As a result jointly of the efforts of the mayor and of the knowledge obtained by the strikers of the nature of the Industrial Disputes Investigation Act, an understanding was now reached, to have the dispute referred for investigation under its provisions, and in virtue of this understanding on Monday morning, August 16, the men accordingly resumed work. On my arrival in the city on the evening of the 17th, as stated above, there was no outward evidence of the recent disturbance, but there was indication of a tense and excitable condition of feeling being still abroad, and I received many assurances of the necessity for prompt action in bringing the whole matter before a Board for full inquiry and final adjustment. I communicated immediately on my arrival with the mayor and with Mr. F. Urry, by whom had been transmitted to the Minister the communication on behalf of the strikers, and it was arranged that I should on the following morning meet the members of the committee representing the strikers and obtain from them the formal application for a Board of Conciliation and Investigation, which it was believed they were now desirous of presenting.

The committee met at the city hall at 11 a.m. on Wednesday, August 18, Mayor Peltier and Mr. F. Urry being present and rendering valuable assistance. With one



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exception the committee was composed of non-English speaking persons, and the services of translators in several languages were necessary. The application was formally drawn, signed before Magistrate Palling by Messrs. C. R. Spooner and Piro Pathakoes, respectively, as representing the committee, and formally handed to myself as Registrar of Boards of Conciliation and Investigation. Mr. F. Urry was recommended by the men for appointment to the Board. The Minister had already expressed determination to establish a Board if an application was received in due form, and as I received a notification during the day from the employing Company that the Company had recommended Mr. W. J. Christie, of Winnipeg, for appointment, I communicated to the Minister the names of the persons respectively recommended and the Minister was pleased to appoint them forthwith. I represented to Messrs. Christie and Urry, by telegraphic messages to Winnipeg and Port Arthur respectively, the desirability of expediting the inquiry as far as was possible and suggested, by the Minister's direction, that they should endeavour as speedily as possible to agree on a recommendation for the third member of the Board, and that if they could not come to such agreement speedily, they should consider the advisability of waiving their full rights of deliberation in this matter and refer the appointment to the Minister in the manner provided by the Act, when the appointment would be made forthwith. I received a message in reply from Mr. Christie stating that he would reach Fort William on Friday evening, August 20. On Thursday, August 19, I received a letter from Mr. Urry stating that on reconsidering the situation he had decided to tender his resignation as a member of the Board. Mr. Urry's note was as follows:—

Port Arthur, Ont., August 19, 1909.

Mr. F. A. ACLAND,  
Deputy Minister of Labour.

Dear Sir,—It was a surprise to me yesterday when the members of the strike committee asked me to act for them. Without having time to consider the matter fully I consented.

I have since come to the conclusion that in the interest of the labour movement of these two cities it will be best that I decline the position.

Thanking you and also the Minister of Labour for your confidence in me to act on behalf of the men by confirming their choice.

I remain, your faithfully,

(Sgd.) FREDERICK URRY.

It became necessary accordingly to reconvene the Strike Committee, and as the members were now at work during the day, it was impossible to secure such meeting until evening at 7 p.m. On Thursday, August 19, therefore, the committee, reconvened, and after some deliberation decided to recommend Ald. W. T. Rankin for appointment to the Board. The mayor was present at this second meeting of the committee and again lent his services for the adjustment of the difficulty.

#### RESOLUTION BY MEN WITH RESPECT TO ACTION OF THE DEPARTMENT.

At the same meeting of the committee the following resolution was passed relating to the action of the Department and setting forth the attitude of the employees towards the Industrial Disputes Investigation Act:—

Fort William, August 18, 1909.

We, the committee representing the freight shed men employed by the Canadian Pacific Railway Company at Fort William, appreciate the promptness with which the Department of Labour dealt with our request for the appointment of a Board to deal with our grievances, and had we known of the existence of the Lemieux Act, we would not have ceased work until we had invoked the good offices of the Minister of Labour.



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The Minister appointed Mr. Rankin to the Board in place of Mr. Urry, and on Friday, August 20, Messrs. Christie and Rankin met to confer regarding the question of a chairman, with the result that during the day they agreed on the nomination of Mr. S. C. Young, a leading citizen of Fort William, and this recommendation was duly confirmed by the Minister. The members of the Board were sworn in on Saturday morning, August 21, and began immediately the official inquiry into the dispute. The proceedings of the Board lasted throughout Saturday, considerable evidence being taken as to the cost of living at Fort William as compared with other places, and as to the bearing of this on the wage question. Evidence was also taken on some other questions. Many of the men were present throughout the day and the proceedings were apparently an object lesson of considerable value to them, as well as to different leading citizens who were present during the day as witnesses or spectators. In the evening the Board met in private for the purpose of endeavouring to agree on a report, but finding it impossible as yet to make a unanimous report, it was decided to take further evidence on Monday, August 23. The proceedings were resumed on Monday and additional evidence was taken. On Monday evening the Board again went into private session which continued until between five and six o'clock in the morning of Tuesday, August 24, in an endeavour to formulate a unanimous recommendation. Some details were left for final adjustment, and a copy of the text of the finding of the Board to which then or subsequently were attached the names of the three members of the Board, was handed me by the chairman on Tuesday evening. This finding was understood to be satisfactory to both parties concerned. The whole proceedings from the day on which the formal application was received had lasted during six working days only, showing with what expedition the machinery of the Act may be worked when there is a special urgency for the same.

The finding of the Board recommended (1) the payment of the rate of 20½ cents per hour by day and 23½ cents per hour by night, a substantial advance over the figures formerly paid, dating from August 16, when the men resumed work; (2) the abolition of the bonus system for the future, and the payment immediately of the bonus earned up to date. Concerning the question of ill-treatment the Board did not find that any evidence supporting this contention had been submitted, but the Company's officers had, it was stated, given satisfactory assurances on the subject. This report was understood to be acceptable to both parties to the dispute. A formal report of the finding of the Board was duly forwarded to the Minister at Ottawa.

#### RECAPITULATION OF PROCEEDINGS—EFFECT OF THE ACT.

It will be seen that the employees ceased work on August 9, requested the aid of the Minister of Labour on August 15, returned to work on August 16, and made formal application for a Board of Conciliation and Investigation on August 18, the Board holding official inquiry on August 21 and 23, and reaching a conclusion on August 24, fifteen days from the time of the strike, and six days, as noted, from the date of the formal application for a Board.

The financial loss suffered by both parties to the dispute would have been, no doubt, entirely avoided and the unfortunate affray between the special constables and the strikers necessarily eliminated had the differences been referred for adjustment under the terms of the Industrial Disputes Investigation Act in the first place, a course clearly dictated, moreover, by ordinary prudence as well as by the laws of the land. As previously stated, however, the men claim to have been wholly ignorant of the existence of any special law bearing on the question of trade disputes. This was stated in concise terms in the application forwarded to the Minister, and also in the resolution passed by the committee of strikers quoted above.

In the application for the establishment of the Board it was stated on behalf of the freight-handlers concerned that 'in ceasing work, the employees, the great ma-



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jority of whom are foreigners, acted in good faith, and as they would have acted in their own respective countries, being unaware of the existence in Canada of any Act of Parliament requiring that before a strike was called there shall be an inquiry into the grievances before a Board established by the Minister of Labour.'

I desire in closing this report to draw the Minister's attention to the excellent public service rendered by His Worship Mayor Peltier throughout the difficulty, and the substantial aid which I received from the mayor and Mr. F. Urry, secretary of the Trades and Labour Council of Port Arthur and correspondent of *The Labour Gazette* for Port Arthur, in expediting the procedure for the establishment of the Board. I desire also to acknowledge the cordial and courteous co-operation of the officials of the Canadian Pacific Railway Company to the same end.

I have the honour to be, sir, your obedient servant

(Signed) F. A. ACLAND,  
Deputy Minister of Labour.

## REPORT OF BOARD.

The text of the findings of the Board of Conciliation and Investigation established in this matter is as follows:—

Fort William, Ont., August 21, 1909.

To the HONOURABLE THE MINISTER OF LABOUR,  
Ottawa, Ont.

Sir,—In the matter of the Industrial Disputes Investigation Act, 1907, and of the dispute between the Canadian Pacific Railway Company, employers, and the freight handlers of that Company, at Fort William, Ont., employees, we the duly appointed Board of Conciliation and Investigation, consisting of Samuel C. Young, Chairman, of the city of Fort William, Ont.; William J. Christie, of the city of Winnipeg, Man.; William T. Rankin, of the city of Fort William, Ont., beg to report as follows:—

The Board met in the council chamber of the City Hall, Fort William, Ont., Saturday, August 21, 1909.

The grievances set forth in statement A of employees were first taken up. Briefly, they were as follows:—

1. A raise of wages from 18½ cents to 22½ cents per hour for day work and from 21 cents to 25 cents per hour for night work.

2. The employees complained that the cost of living in the city of Fort William warranted them in asking for the increase.

3. That some of the men had been unjustly or harshly dealt with by some of the Company's foremen in pursuance of their work.

4. They wished the discontinuance of the bonus system now in force whereby 1 cent per hour of their wages is held by the Company until completion of the season's work.

Taking the questions up in order named, we went exhaustively into the matter of wages paid for ordinary labour in this city and district, and find that ordinary, unskilled labour, such as is affected in this case, commands about 20 cents per hour and we, therefore, recommend:—

FIRST.—That the wages to be paid to the complaints, *i.e.*, the labourers in the Canadian Pacific Railway Company's freight sheds at Fort William, Ont., shall be 20½ cents per hour for day work and 23½ cents per hour for night work, and that these rates shall apply from August 16, 1909.



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SECOND.—We find that, after very careful investigation, considering transportation charges on commodities, the cost of living in the city of Fort William, Ont., compares favourably with other cities, both east and west.

THIRD.—In the matter of complaint of employees as to harsh treatment by some of the foremen in the employ of the Company, we could not get any direct evidence in support of their complaint. We have the assurances of officials of the Company that they will not tolerate any unwarranted treatment of the men if same is brought to their attention. We have advised the representatives of the men to make complaint in writing to the proper authorities should anything of this nature occur in the future.

FOURTH.—We strongly recommend that the bonus system be discontinued at once, and that bonuses earned to August 16, 1909, be paid in full within one week. We have the Company's consent to this proposal.

In looking into the matters which brought about the trouble between the employees and the Canadian Pacific Railway Company, we find that no proper demands were made by the men. The men left their work without notice which seriously affected the freight handling business at this port, causing great loss to shipping and mercantile interests of the country.

We have tried to impress upon the men the seriousness of their action in this respect and we are pleased to note in their statement referred to that they realize this and that they will not participate in such action in the future.

(Sgd.) S. C. YOUNG,  
Chairman.

(Sgd.) W. T. RANKIN,  
For Employees.

(Sgd.) W. J. CHRISTIE,  
For C. P. Ry. Co.

Dated at Fort William, Ont., 24th day of August, 1909.



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**XVIII.—APPLICATION FROM MACHINISTS AND FITTERS EMPLOYED BY  
THE INTERCOLONIAL RAILWAY OF CANADA—BOARD ESTAB-  
LISHED—UNANIMOUS REPORT BY BOARD—STRIKE AVERTED.**

*Application received.*—October 2, 1909.

*Parties concerned.*—Intercolonial Railway of Canada and machinists and fitters in its employ.

*Applicants.*—Employees.

*Nature of industry concerned.*—Railways.

*Nature of dispute.*—Alleged unfair dismissal of certain employees and alleged violation of contract.

*Number of employees affected.*—Directly, 363; indirectly, 43.

*Date of constitution of Board.*—October 4, 1909.

*Membership of Board.*—His Honour Judge J. A. Barron, Stratford, Ont., Chairman, appointed by the Minister in the absence of any joint recommendation from the other members of the Board; Mr. Jas. H. Gilmour, Brockville, Ont., appointed on the recommendation of the Government Railways Managing Board; and Mr. J. G. O'Donoghue, Toronto, Ont., appointed on the recommendation of the employees.

*Report received.*—December 8, 1909.

*Result of inquiry.*—A unanimous report was presented by the Board for settlement of dispute, which was accepted by both parties concerned; a strike being thereby averted.

On December 8 the Minister received the report of the Board established in the matter of differences between the Intercolonial Railway of Canada and its machinists and fitters, members of the International Association of Machinists. The report in question was signed by the three members of the Board, viz.: His Honour Judge John A. Barron, of Stratford, Ontario, Chairman; Mr. James H. Gilmour, of Brockville, Ontario, member appointed on recommendation of the employer; Mr. J. G. O'Donoghue, of Toronto, Ontario, member appointed on the recommendation of the employees.

On December 13 the Department was informed that the findings of the Board were entirely acceptable to the Intercolonial railway. On January 27 the Department was also informed by telegram that the findings in this matter had been accepted by the machinists and fitters concerned.

In the application for the establishment of this Board it was stated that the dispute related to:—

'I. Dismissing certain employees contrary to signed agreement or schedule:

'II. Refusal of investigation for men dismissed according to Article 4, section 3, of signed agreement, viz., "An investigation for men dismissed."

'III. Certain employees not receiving increase of pay which was promised in October, 1908, and again in June, 1909.

'IV. Violation of Article 4, section 1, of schedule bearing on reduction of expenses by reducing the force which provides for married men with families depending on them for support to be given the preference.

'V. Men who have been a number of years in the service who are near the age for pension being dropped from service.'



The Board in its report has giving its findings on each of the points above mentioned. In respect of the alleged dismissal of certain employees contrary to signed agreement or schedule the Board finds that the services of about 350 men were dispensed with in pursuance of a policy of retrenchment, and that the necessity for the reduction in the staff was explained by the management to a committee of the employees concerned. On this point the Board further observed that 'it can readily understand the difficulty of applying the schedule under the circumstances, but no further difference will arise on the point because all the representatives of the Company expressed their desire and intention to keep and enforce the schedule hereafter.'

Concerning the alleged refusal of investigation for men dismissed, the Board found that a conference was held between the management and a committee of the employees at which the reason for the dismissals was given, and that it appeared that the management could not have done more.

Regarding the claim that certain employees had not received increases of pay promised in October, 1908, and in June, 1909, the Board found that, whilst an increase of wages was promised to boilermakers and machinists, the annual return for the Intercolonial system showed a deficit and that the matter of increase dragged along until the beginning of the present year, when the chairman of the Government Railways Management Board stated that he had a sum of money for distribution among the men above referred to. Pending the present investigation the increase has not been given, but the Board expressed the opinion that it should now be given, dating from April 1, 1909.

Regarding the alleged violation of Article 4, section 1, of the schedule, bearing on reduction of expenses through reduction of staff, which provided for a preference to married men with families depending on them for support, the Board heard the evidence of every one desiring to be heard. At Halifax it appears that amongst those who were let go were men who had been a very long time in the service of the road. The Board found that loss of employment by these men was no doubt a real hardship, and further observes that the passage of the amendment to the Provident Fund Act now before the House of Commons is amply justified by the consideration of these cases. The men contended that the section of their schedule with the Company calling for the application of the seniority rule should have been applied to the round-house and the shop at Halifax as if these were one, so that the older men in each case should be given the preference of employment. The Company, on the other hand, claimed that if only the shop was closed the round-house should not be brought into the matter at all. The majority of the Board thought that under the circumstances the seniority rule could not be enforced, inasmuch as all of the employees working in the shop were let go, and that the round-house should not be considered. Mr. O'Donoghue did not see his way clear to agree to this. The Board's report further observed that in any event the passage of the Act above referred to will do justice to all concerned.

Regarding the claim of employees who had been a number of years in the service and who had almost reached the age for pension being dropped from the service, the Board expressed the opinion that the men should receive their pension under the proposed amendment of the Provident Fund Act from the date of their dismissal.

The report concluded with the following observations: 'A feature in regard to the dismissals was brought into the investigation which, though not directly referred to the Board, the Board nevertheless did not desire to exclude, and that was that in the dismissal of employees political interference was had and political preference was shown. Once the suggestion was made the Board exhausted every means to ascertain what the facts were, and they unanimously find that the evidence establishes that political interference or political preference had no part whatever in the dismissals the Board was called upon to consider.



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'The Board feels it due to Mr. Butler, Mr. Brady and Mr. Joughins to say that their instructions in every case with regard to the dismissals were that politics were not to have any part in the matter.

'The Board must express its pleasure at the cordial relations existing between the I. C. R. officials and the representatives of the men.

'Our work has been much facilitated by all parties concerned.'

## REPORT OF BOARD.

The text of the findings of the Board of Conciliation and Investigation in this matter is as follows:—

In the matter of the Industrial Disputes Investigation Act, 1907, and in the matter of differences between the Intercolonial Railway and its machinists and fitters, members of the International Association of Machinists:

The Board of Conciliation and Investigation created under the statute in that behalf, and to whom, on the 19th day of October, 1909, was referred certain disputes, claims and demands, which said disputes, &c., are hereinafter set forth and numbered respectively from I. to VI., respectfully report as follows:—

The said Board held a series of sittings at Montreal, Ottawa, Moncton, Halifax and Quebec, at all of which places all evidence offered was taken, and all of which places Charles Bleakney and John Delahirst, the parties who made the application for investigation, were present and took part in the same, together with several others representing the machinists and fitters of the Intercolonial system.

The said Charles Bleakney and John Delahirst were at the time of the statutory application in these proceedings and still are employees of the Intercolonial Railway within the meaning of Section 16, subsection 3 of the Industrial Disputes Investigation Act, 1907.

1. *Dismissing certain employees contrary to signed agreement or schedule.*

The Board find that the services of about three hundred and fifty men were dispensed with. This very large reduction in the staff was made in pursuance of a policy of retrenchment. The fact undoubtedly was that, in the course of many years, the road had become over-manned, and it became apparent that if proper economy was to be exercised the services of many men in 'the maintenance of equipment department' had necessarily to be dispensed with. In Halifax alone about 125 men were laid off. This large dismissal of men at Halifax was unavoidable, because of the fact that the employers decided to and did in fact abolish entirely all attempts at heavy repair work for locomotive maintenance, retaining only a sufficient number of employees for ordinary roundhouse purposes. The object in view in dismissing the men in regard to whom this investigation was ordered was beyond dispute, to permanently reduce the staff and thus put an end to over-expenditure.

When the dismissals were made the management met a committee of the men and explained the reason for the dismissals, namely, the necessity for reduction. The Board can readily understand the difficulty of applying the schedule under the circumstances, but no further difference will arise on the point, because all the representatives of the Company expressed their desire and intention to keep and enforce the schedule hereafter.

2. *Refusal of investigation for men dismissed according to Article 4, section 3, of signed agreement, viz.:—An investigation for men dismissed.*

As to this, it has already been pointed out that there was a conference between the committee and the Company at which the reason for the dismissal was given. That same reason and no other has been given by the Company before us, so that it appears to us that the management could not have done more than they did.



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3. *Certain employees not receiving increase of pay which was promised in October, 1908, and in June, 1909.*

In the fall of 1908 a committee of the men met Mr. Butler, and the latter expressed his desire to increase the wages of the boilermakers and machinists. Whilst the matter was in hand the annual return for the road showed a deficit, and the matter of increase dragged along until the beginning of this year, when Mr. Butler stated that he had a sum of money for distribution amongst the men above referred to. Pending this investigation the increase has not been given, but the Board think it should now be given, dating from April 1 last.

4. *Violation of article 4, section 1, of schedule bearing on reduction of expenses by reducing the force which provides for married men with families depending on them for support to be given the preference.*

The Board heard the statements of every man who desired to give his evidence. At Halifax it appears that amongst those who were let go were men who had been a very long time in the service of the road. Whittle was 31 years in the service; Delaney, 38; Baisley, 15, and Phalen 29 or 30. At Rivière du Loup also the same thing happened. H. Des Rochers had been in the service 23 years; Samson, 23; Raymond, 22; Lavoie, 20, and Thibierge, 12. At Campbellton, T. McDevitt, 22 years.

Loss of employment by these men was, no doubt, a real hardship, and the passage of the amendment to the Provident Fund Act now before the House of Commons is amply justified by the consideration of these cases. The men contend that the section of their schedule with the Company calling for application of the seniority rule should have been applied to the roundhouse and the shop at Halifax as if one, so that the older men in each case should be given the preference of employment. The Company, on the other hand, claimed that if only the shop was closed the roundhouse should not be brought into the matter at all. The majority of the Board think that under the circumstances the seniority rule could not be enforced, inasmuch as all of the employees working in the shop were let go, and the roundhouse should not be considered. Mr. O'Donoghue does not see his way to agree to this. In any event the passage of the Act above referred to will do justice to all concerned.

At Moncton particular stress was laid upon the cases of Trites and LeBlanc. Their immediate superiors spoke very highly of them, while the higher officials alleged indifference to his work in 'Trites' case and slowness on the part of LeBlanc.

While all the men above referred to will come under the amendment of the Provident Fund Act, the Board recommend that they be given work at the first available opportunity.

5. *Men who have been a number of years in the service, who are near the age for pension, being dropped from service.*

This has already been covered. The Board is of the opinion that the men should receive their pension under the proposed amendment from the date of their dismissal.

6. A feature in regard to the dismissals was brought into the investigation which, though not directly referred to the Board, the Board nevertheless did not desire to exclude, and that was that in the dismissal of employees political interference was had, and political preference was shown. Once the suggestion was made the Board exhausted every means to ascertain what the facts were, and they unanimously find that the evidence establishes that political interference or political preference had no part whatever in the dismissals the Board was called upon to consider.

The Board feels it due to Mr. Butler, Mr. Brady and Mr. Joughins to say that their instructions in every case with regard to the dismissals were that politics were not to have any part in the matter.



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The Board must express its pleasure at the cordial relations existing between the I. C. R. officials and the representatives of the men.

Our work has been much facilitated by all parties concerned. All of which is respectfully submitted.

(Sgd.) JOHN A. BARRON,  
Chairman.

(Sgd.) J. H. GILMOUR,  
For the I. C. R.

(Sgd.) J. G. O'DONOGHUE,  
For the Men.



**XIX.—APPLICATION FROM EDMONTON STANDARD COAL COMPANY, LIMITED, ALTA.—BOARD ESTABLISHED—UNANIMOUS REPORT BY BOARD—STRIKE AVERTED.**

*Application received.*—November 18, 1909.

*Parties concerned.*—Edmonton Standard Coal Company, Edmonton, Alta., and employees.

*Applicants.*—Employers.

*Nature of industry affected.*—Coal mining.

*Nature of dispute.*—Wages and dismissal of employees.

*Number of employees affected.*—75.

*Date of constitution of Board.*—December 2, 1909.

*Membership of Board.*—Mr. Geo. F. Cunningham, Edmonton, Alta., Chairman, appointed on the recommendation of the other members of the Board; Mr. Frank B. Smith, Edmonton, Alta., appointed on the recommendation of the employing Company; and Mr. Clement Stubbs, Edmonton, Alta., appointed on the recommendation of the employees.

*Report received.*—December 27, 1909.

*Result of inquiry.*—A unanimous report was presented by the Board making certain recommendations for the settlement of the dispute, which were accepted by both parties concerned; a strike being thereby averted.

The Minister received on December 27 the report of the Board of Conciliation and Investigation, to which had been referred certain differences between the Edmonton Standard Coal Company, of Edmonton, Alta., and its employees, to the number of seventy-five.

The differences in question were stated in the Company's application to have arisen through the discharging of five employees by the pit boss, which resulted in all the other employees quitting work for a period of two days without notification to the Company. The application referred also to proposals which were said to be in contemplation by the employees for increased rates of pay.

Mr. Frank B. Smith, of Edmonton, Alta., and Mr. Clement Stubbs, of Edmonton, Alta., were appointed members of the Board on behalf of the employer and employees respectively, and on the recommendation of the foregoing the Board was completed on December 2 by the appointment of Mr. Geo. F. Cunningham, of Camrose, Alta., as Chairman. The report was signed by all the members of the Board.

On January 8 a communication was received to the effect that the findings of the Board were acceptable to the employees, and on January 12 the Department was informed that the findings had been accepted also by the Company.

In the hearing before the Board it was claimed by the employees that two of their number had been discharged on October 27 without reason, and that when on the following day a committee of three was appointed to inquire into the dismissal of the said employees, the members of this committee were also discharged without justification. It was also claimed on behalf of the workmen concerned that the pit boss had shown discrimination in an effort to suppress organization on the part of the employees, and that all five of the men discharged were active members of the United Mine Workers of America.



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On behalf of the Company it was claimed that the two employees discharged on October 27 were guilty of disobedience to the Company's rules. During the hearing before the Board the Company claimed that these two employees should be suspended for a period of one week for the purpose of upholding the discipline of the mine. Acknowledgment was made, however, on behalf of the employer that the three subsequent dismissals were caused by hasty and impolitic action by certain officials of the Company, and the Company expressed its willingness to reinstate the latter. In respect of the rates of pay a satisfactory arrangement was effected between the Company and its employees. The Company formally expressed its willingness to abide by the decision of the Board.

The findings of the Board were confined to the question of the dismissal of two employees by the pit boss on October 27. From the evidence submitted the Board found nothing to warrant the discharge of the two men on the 26th of October, but that on being reinstated they had, on October 27, committed a breach of a generally recognized rule, and for such should be censured. The Board expressed the view, however, that the employees in question have already been sufficiently punished. The Board also expresses the opinion that the rules relating to the discipline of the mine should be kept posted in a prominent place at the mine.

## REPORT OF BOARD.

The text of the findings of the Board of Conciliation and Investigation in this matter is as follows:—

To the HONOURABLE THE MINISTER OF LABOUR,  
Ottawa, Ont.

Sir,—As members of the Board of Conciliation and Investigation, established under your hand and seal on December 2, 1909, for the purpose of investigating with an endeavour to settle a dispute between the Standard Coal Company, Limited, and its employees—miners, teamsters and labourers—we beg to submit to you in detail the procedure of the Board in the effort to arrive at a settlement of said dispute. Cause of dispute—employers' claim.

The pit boss of the Standard Coal Mine discharged five miners and all the other employees quit work in sympathy with them for two days without notifying the Company. There were also demands for an increased rate for mining the coal which had not been submitted to the management at date of application for a Board of Conciliation, but might be at any time. A copy of the rebuttal claim recently sent to Ottawa is appended.

## COPY OF REBUTTAL CLAIM.

In the matter of an Act to aid in prevention and settlement of strikes and lock-outs in mines and industries connected with public utilities, and in the matter of a dispute between the Edmonton Standard Coal Company, Limited, and the employees thereof.

We, the undersigned, being duly sworn, do solemnly declare:—

1. The employees of the Edmonton Standard Coal Company, Limited, having its head office in the city of Edmonton, in the province of Alberta, in answer to the application for an Arbitration Board under the said Act claims that on or about the 26th day of October, 1909, the said Company discharged two of its said employees without giving any reasons for so doing.



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2. On the 27th of October, 1909, the said employees of the said Company appointed a committee of three among themselves to inquire into the dismissal of the said two employees referred to in the above paragraph, and the said Company dismissed the said members of the said committee without giving any cause or excuse and without justification.

3. The allegation made on the part of the said Company that the employees ceased work without giving the said Company notice is misleading as not setting out the true facts.

4. When the said Company discharged the three employees appointed as a committee to investigate the discharge of the first two employees as aforementioned, then the balance of the employees of the said Company discontinued work in sympathy with those who had been wrongfully dismissed, and contrary to the said Act, by the said Company.

And we make this solemn declaration conscientiously believing the same to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

Severally declared before me at the city of Edmonton, in the province of Alberta, this 21st day of December, A.D. 1909, the same having been interpreted from English into Ruthenian by A. C. Brovey, he having been first sworn by me to well and truly interpret the same, and the deponents seemed to perfectly understand the same and subscribed their names or made their marks thereto in my presence.

GEORGE LEZERUCK,

his

THOMAS X KOSSACK,

mark.

VINCENT BARTON,

VINC. HOLUB,

JOZEF FRIDEL.

(Sgd.) J. M. CMYA,

A commissioner for taking affidavits in and for the province of Alberta.

#### SITTINGS OF BOARD.

On the morning of the 20th day of December, 1909, the Board met, all three members being present. After a few minutes preliminary discussion as to the method of procedure, a J. P. of Edmonton district, in the province of Alberta (who was in proximity to the place of meeting) was called in and the three members took the oath of office.

The Chairman having read the application for a Board with the cause and nature of complaint, and a rebuttal claim entered by the representative of the employees, asked the representative of the Company if he was willing to abide by the decision of the Board, and received a reply in the affirmative. On receiving a reply in the negative to the same question from the representatives of the employees he then declared the sitting open for discussion and investigation of the dispute.

Evidence was then led by F. B. Smith, representative for the Company and member of the Board, that on the 25th day of October, 1909, the pit boss found noxious gases prevailing in a part of the mine at 1.30 p.m. of that day, and on inquiry found that Thomas Kossack and Vincent Holub (two miners employed in the mine) had blasted coal with black blasting powder at or about 11.30 a.m. contrary and in disobedience to a rule made eighteen months previous and still in operation, viz.: That blasting operations should not commence before four o'clock in the evening of each working day—that this rule was made out in the form of a notice and posted in a conspicuous place at the mine; that this rule was made for the purpose of keeping



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the air as free as possible from noxious gases during the working hours of the miners. Also that there were exceptions to the rule in the form of a joint understanding between the miners and the pit boss that in some places and at certain times at the discretion and only with the sanction of the pit boss, some men were allowed to blast coal with a white smokeless powder; that Thomas Kossack and Vincent Holub had not obtained this sanction, and, therefore, he contended that the pit boss had just cause for dismissing those men to uphold the discipline of the mine; that with regard to the three miners, George Lezeruck, Martin Rospinich and Alex. Zahon, there had been hasty and impolitic action by certain officials of the Company. On a query from the Chairman he admitted unjust dismissal of these three men and a guarantee of full reinstatement. In addition to the evidence led by Mr. Smith he made the statement that as representative of the Company, in an effort to arrive at a settlement of the dispute, that the three miners, George Lezeruck, Martin Rospinich and Alex. Zahon, would be fully reinstated and that for the purpose of upholding the discipline of the mine that a suspension of Thomas Kossack and Vincent Holub for two weeks would be required.

Clement Stubbs, representative of the employees and member of the Board, then gave evidence, contending that the pit boss had discriminated in an effort to suppress organization on the part of the employees. That all five members discharged were active members of the United Mine Workers of America, that the three miners, George Lezeruck, Martin Rospinich and Alex. Zahon, were a committee appointed to investigate the cause for discharge of Thomas Kossack and Vincent Holub. Anthony Brovey, an official of the United Mine Workers of America, was called and duly sworn, and testified that the organization of the men took place on the 22nd of October present year; that the five men were active members of the local organization, and that the miners, Thomas Kossack and Vincent Holub, were discharged on the 26th October, and George Lezeruck, Martin Rospinich and Alex. Zahon were discharged on the 27th or after.

Frank Smith, representative for employers, disproved any connection with the two dismissals—that the order was given in the first case by the pit boss who had charge of the mine and was responsible for its safety and well-being. In the second case or discharge of the three miners, the order was given by the financial manager for the Company, and the cause of it was the posting of a strong notice at the mine signed by some of the miners. On a query from Mr. Stubbs, Mr. Smith said he did not have the notice there, but it was in the Company's office. On this notice being sent for it was found to read thus:—

## NOTICE.

We started a union yesterday, and nobody should come to work until they take those two men that got fired yesterday.

ALEX. ZAHON and DZONEX LEZERUCK,  
Pit Committee.

The Chairman then called attention to the fact that in the case of the last three miners discharged, blame had been admitted on the part of the officials of the Company and full reinstatement guaranteed, that the dispute now devolved into a question of proof or disproof of whether Thomas Kossack and Vincent Holub did or did not do acts contrary and in disobedience to a rule or rules of the mine.

Mr. Stubbs then requested Mr. Smith, as representative of the Company, to withdraw a clause in the application for a Board of Reading. There are also demands for an increase rate of mining the coal which have not been submitted to the management up to date, but may be at any time, as this part of the dispute was settled. Mr. Smith asked for an adjournment to prepare a paper to be placed before the Board in the afternoon. The request being acceded, the Board adjourned.



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PROPOSALS OF THE COMPANY.

On a resume of the sitting in the afternoon, F. B. Smith submitted the appended proposals:—

Edmonton, Alta., December 20, 1909.

CHAIRMAN OF CONCILIATION BOARD,

EDMONTON STANDARD COAL COMPANY AND EMPLOYEES.

Sir,—I beg to state that with regard to the Edmonton Standard Coal Company's application for a Conciliation Board to investigate a dispute between the above, the latter part of the application stating the nature of the dispute has entirely been annulled, as everything has been satisfactorily arranged between the Company and the United Mine Workers of America. The former part of the dispute is still being considered by the Board, and the Company have authorized me to make a compromise in the case so that matters can be amicably arranged.

To uphold the discipline of the mine, they have asked that the Board concur in their wish to have the two men, Thomas Kossack and Vincent Holub, suspended for one week on account of their disobedience to the orders of the pit boss by firing a shot at an unreasonable time without his sanction. The Company trust that the Board will consider this matter favourably, but they are entirely willing to abide by their decision in the matter.

Your very truly,

(Sgd.) FRANK B. SMITH,

Representative for the Edmonton Standard Coal Company.

After a good deal of discussion by the Board it was decided to adjourn to allow Mr. Stubbs to place the latter proposal before a meeting of the employees in order to try and arrive at an amicable settlement.

The Board then adjourned for the day.

SECOND DAY'S SITTING OF THE BOARD.

On the morning of the 21st day of December, 1909, the Board again met, all three members being present. Prior to the meeting and in accordance with the wishes of all the members of the Board, the Chairman had received the result of the meeting between the representatives of the employees and the employers, which result was unfavourable to a settlement on the proposals put forward, and having received the names of the witnesses he subpoenaed the following: Joe Firdel, Vance Barton, Thomas Kossack, Vincent Holub, George Lezeruck, Alex. Zahon to give evidence before the Board, and A. C. Brovey as interpreter.

EVIDENCE.

The first witness called upon was Joe Fridel, who, on being duly sworn, testified to queries from the Chairman that he was a Polander; that he was a miner at the Edmonton Standard Coal Mine for four years; that he was not at work on the 25th of October; that he was at work on the 26th and 27th.

Q. Were the two men, Thomas Kossack and Vincent Holub, discharged on the day you were not at work, or 25th October —A. I think the day after.

Q. Did you ever see a notice posted at the mine relative to times for blasting operations?—A. Yes.

Q. Did you read the notice?—A. Yes.

Q. What did the notice specify?—A. That the miners could only blast at fifteen minutes to twelve and 4.15.

Q. Can you read English?—A. A little.



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Smith to Chair.—Test him on any clause in the Act.

On test. Failed to make out reading clause No. 21.

On test. Made better attempt at typewritten reading.

Q. Do you understand English by reading?—A. Understand partly; didn't understand the notice fully, but was told what did not understand.

Q. Did every one fire according to rule?—A. Yes.

Q. How long did that rule prevail?—A. Until this summer.

Q. After that what happened?—A. The pit boss told the men to blast only once a day.

Q. At what time?—A. In the evening.

Q. Did the men blast in the middle of the day after that?—A. Yes.

Q. Did they get permission?—A. I do not know.

Q. Did you get permission?—A. No.

Q. Did you know that you were not to fire in the middle of the day?—A. Yes, everybody did.

Q. Did you ever ask for sanction?—A. Yes, about two weeks ago.

Q. Did you get it?—A. Yes, but was told not to use too much powder.

Q. Do you work near the two men, Thos. Kossack and Vincent Holub?—A. Yes, on the same entry.

Q. Were you at work the day they were discharged?—A. No.

The next witness called was Vance Barton, who, on being duly sworn, testified that he was Polish by nationality; that he had worked five years in the Edmonton Standard Coal Mine; that he did not remember seeing notice; that he understood there was one; that he only knew what the other men said, which was that miners could blast at 11.45 a.m. and 4.15 p.m.; that this rule prevailed until a year ago this summer; that the pit boss told them to blast only once a day on account of ventilation; that shooting once a day still prevails; that any time he wanted to blast during the day he got sanction from the pit boss; that he got white powder to blast with from the pit boss during the day or any blasting before 4.15 p.m.; that he worked far away from the two men discharged.

The next witness called was Thomas Kossack, who, on being duly sworn, testified to queries from the Board that he was Polish by nationality; that he had worked for three years at the Edmonton Standard Coal Mine; that he never knew anything about a notice relative to blasting; that the custom was to blast when they had no coal to load; that the custom still prevails; that he did not understand question; that sanction had to be obtained; that once a day blasting had been in operation for a year; that he had never asked permission; that he was discharged by the pit boss on the 26th of October and that the pit boss did not give any reason; that he did not shoot on the middle of the day on the 26th, *but shot in the middle of the day on the 25th; said afterwards he did not shoot until evening 25th*; that he was discharged 3.30 p.m. 26th; that he was working on the 27th; that he did blast in the middle of the day on the 27th; that he had got his work back because the committee had seen the pit boss; that the pit boss went into his place with some men on the 27th; he thought managers had stopped the place; that pit boss had asked him if he shot before noon; that he had; that he was at work on the 30th; that no reasons were given for discharging him, or giving him back his work; that pit boss was in his place between the 21st and 26th October; that the pit boss did not ask him if he had joined the union; that the pit boss was sore at him; that he did not have any reason to be sore at him; that he did not work in the same place; that he was shifted to the east; that he thought he was discharged because he belonged to the union; that he had not any reason for so thinking; that he never shot in the middle of the day prior to the 26th; that he did not know sanction had to be obtained.

The next witness called was Vincent Holub, and on being duly sworn testified to queries from the Board that he was Polish by nationality; that he had worked



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during the last eleven months at Edmonton Standard Coal mine; that he had worked there previously, but one year had elapsed between; that he did not see any notice relating to blasting; that he had heard some people say that there had been a notice posted, and that it read shooting should be done at 11.45 a.m. and 4.15 p.m.; that that practice was followed; that that practice prevailed until lately; that he meant by lately until now; that the men only got blasting in the middle of the day when they were out of coal; that he did not know if with or without permission; that he blasted once without permission; that he had permission; that he did not know what date; that he had asked permission because he had no coal; that he did not know if the pit boss gave out white powder; that he was discharged on the 26th; that he was again discharged on the 27th; that no reason was given in either cases; that pit boss had asked him if he had fired a shot in the middle of the day; that he replied he had; he started work on the 30th October; that it was in the same place; that he was not working now; that his place had stopped since the 14th December.

In the afternoon Vincent Holub, was again called and placed on the witness stand. He testified that the pit boss had never asked him if he was in the union.

The next witness called was George Lezeruck, who, on being duly sworn, testified to queries from the Board that he was Ruthenian by nationality; that he had worked at the Edmonton Standard Coal for three and a half years; that he had not been in the employ between May and September last; that he saw a notice posted at the mine; that he read it; that he could not read English good, but sufficient to understand it; that the wording of the notice was that the men should only shoot twice a day, at 11.45 a.m. and 4.15 p.m.; that this prevailed a long time; in fact, there was not any other notice; that he did not know of any verbal notice; that there was no other written notice; that he had never notice personally; he did not know of any other custom prevailing; that he only shot in the evening; that he never shot in the middle of the day; that many others shot in the middle of the day; that he did not know whether they asked permission from the pit boss or not; that he worked in the third west; that he has heard that the pit boss gave out white powder to shoot in the middle of the day, but did not know definitely. A question asked by Mr. Stubbs if there was any conversation between him and the pit boss between the dates of October 21st and 26th, was objected to as irrelevant by Mr. Smith, the Chair ruling the question in order. Witness testified that he had conversation on the 22nd October; that the pit boss said: 'I hear you are one who is starting a union here, and if I find that to be correct I will discharge you the next morning.' That he was appointed on the committee to investigate the cause of discharge of the first two men discharged; that the committee saw the pit boss at his office on the 26th October in the evening and on the morning of the 27th; the information they got was that the places in which the men worked were stopped until the engineers would survey the mine; he was sure of the date of the conversation with the pit boss relative to joining the union, that it was the 22nd, because the men were organized in the evening. He was also discharged, being told that his place was stopped. He did not shoot in the middle of the day.

Alex. Zahon was the next witness called, and on being duly sworn testified to the queries from the Board that he was Ruthenian; that he had worked in the Edmonton Standard Coal Mine three months; that he also worked two weeks last spring; that he had never seen or heard anything of a notice; that he did not know of any rule relative to blasting in the mine; that he shot at quitting time because of the smoke; that he worked in the third west; that he did not need to shoot in the middle of the day as he always had coal; that he had heard shots in the middle of the day, but did not know any particular one that shot; that there was no one close to him who blasted in the middle of the day; that he was on the committee to investigate the discharge of the two men; that the pit boss said that he wanted to stop the place on the morning of the 27th men could not go to work until surveyors surveyed the mine; that the-



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committee saw the pit boss on two occasions, on evening of 26th and morning of 27th; that on the morning of the 23rd the pit boss asked him if he had joined the union. He made no threats.

This being all the evidence the employees wished to submit, the Chairman asked Mr. Smith if he wanted to produce any evidence in behalf of the Company. On receiving a reply in the negative, the Board dismissed the witnesses present.

The Board immediately made a review of the evidence, and after some discussion proposals were made and drafted as a basis of unanimous findings.

Mr. Smith asked for suspended decision to allow him personal deliberation of the proposals drafted.

The Board then adjourned for the day.

## FURTHER SESSION.

Edmonton, Alta., December 22, 1909.

The Board again met this morning at 10 a.m., and after further discussion of the evidence it was decided to have it all typewritten so that the members could more readily discuss the matter in question as taken down verbatim by the Chairman.

Board adjourned until afternoon.

## REPORTS AND FINDINGS OF THE BOARD.

On resuming, the Board fully discussed the questions involved and unanimously came to the following findings:—

That on the charges specified in the application relative to the discharge of three of the employees, and also to the claim that there would be a demand for an increase scale of wages, the Company by consent of the Board withdrew; this brought the dispute to a point where it devolved on the discharge of two of the miners.

In the evidence submitted we find nothing to warrant the discharge of the two men on the 26th October, 1909, but, on being reinstated, they did on the 27th day of October, 1909, deliberately commit a breach of a generally recognized rule, and for such should be censured. Having, however, in our opinion been punished sufficiently for such breach of discipline, we would recommend that Thomas Kossack shall remain in the employ of the Company and that Vincent Holub shall present himself at the mine and be given a working place as soon as possible.

The Board has not had the evidence submitted to them why the two men were discharged on the 27th October. But if the action of the pit boss in discharging the men was taken on a violation of the aforementioned custom, relative to the firing of shots in the middle of the day, then the Board uphold his action so the better to preserve the discipline of the mine and the comfort of the employees. We would, however, add that all such rules relating to the discipline of the mine should be kept posted in a prominent place at the mine.

(Sgd.) GEORGE F. CUNNINGHAM,  
Chairman.

(Sgd.) FRANK B. SMITH,  
Representative Edmonton Standard Coal Company.

(Sgd.) C. STUBBS,  
Representative of the Employees.



**XX.—APPLICATION FROM JAMES W. BLAIN, CONTRACTOR FOR OUTPUT OF CARDIFF COAL COMPANY, LIMITED, CARDIFF, ALTA.—PROCEEDINGS SUSPENDED OWING TO AGREEMENT—STRIKE AVERTED.**

*Application received.*—December 2, 1909.

*Parties concerned.*—James W. Blain, contractor for output of Cardiff Coal Company, Limited, Cardiff, Alta., and employees.

*Applicants.*—Employer.

*Nature of industry affected.*—Coal mining.

*Nature of dispute.*—Wages and conditions of employment.

*Number of employees affected.*—Directly, 60; indirectly, 15.

Proceedings in connection with this application were discontinued in view of an agreement being reached by the parties concerned.



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**XXI.—APPLICATION FROM TELEGRAPHERS AND STATION AGENTS EMPLOYED BY THE GRAND TRUNK RAILWAY COMPANY ON LINES EAST OF DETROIT, MICH.—BOARD ESTABLISHED—NO CESSATION OF WORK.**

*Application received.*—December 3, 1909.

*Parties concerned.*—Grand Trunk Railway Company and telegraphers and station agents in its employ on lines east of Detroit, Mich.

*Applicants.*—Employees.

*Nature of industry concerned.*—Railways.

*Nature of dispute.*—Wages, advertising of vacancies, &c.

*Number of employees affected.*—760.

*Date of constitution of Board.*—December 21, 1909.

*Membership of Board.*—Mr. J. E. Atkinson, Toronto, Ont., Chairman, appointed by the Minister in the absence of any joint recommendation from the other members of the Board; Mr. Wallace Nesbitt, K.C., Toronto, Ont., appointed on the recommendation of the employing Company; and Mr. W. T. J. Lee, Toronto, Ont., appointed on the recommendation of the employees.

*Report received.*—February 24, 1910.

*Result of inquiry.*—No cessation of work occurred.

The Minister received on February 24 the report of the Board of Conciliation and Investigation which had been established on December 7 for the adjustment of certain matters in dispute between the Grand Trunk Railway Company and its telegraphers and station agents to the number of 760 employed on the Company's lines east of Detroit. The differences in question related to a demand on the part of the employees for an increase of wages, extra pay for Sunday work, annual vacations without loss of salary, advertising of vacancies and the adoption of a wage scale in the form of a schedule. Mr. Wallace Nesbitt, K.C., of Toronto, and Mr. W. T. J. Lee, of Toronto, were appointed members of the Board on the recommendation of the Company and of the employees respectively, and, in the absence of any joint recommendation from the foregoing, the Board was completed by the Minister on December 21 by the appointment of Mr. J. E. Atkinson, of Toronto, as Chairman.

The Board assembled in Montreal, the Grand Trunk Railway Company being represented by Mr. Chas. M. Hays, president; Mr. E. H. Fitzhugh, first vice-president; and Mr. W. G. Brownlee, general transportation manager; and the telegraphers being represented by Mr. D. Campbell, third vice-president of the Order of Railroad Telegraphers, and Messrs. J. A. Bell, A. E. Austin, P. A. Robertson, V. Mongeau and B. J. Rowell.

In the hearing it was asked that the men on the Canada Atlantic Railway should be brought under the same schedule as the other lines east of Detroit. The Company, in reply, announced that the employees in question would be brought under one schedule with the Company's other telegraphers and agents, but that only the portion of the road between Swanton and Ottawa should be classed as 'main line,' and the remainder as 'branch line.' It was proposed by the employees that the '23' message should be adopted by the Company, by which all the men in a division would be notified by bulletin five days in advance of all vacancies and permanent positions coming



under the schedule and ten days allowed the men during which to file applications for the same. The Company was unwilling to agree to this proposal. It was also proposed by the men that an official wage list should be published showing the salaries of all positions governed by the schedule. The Company was, however, unwilling to agree to the publication of a wage list. The Company, moreover, could not see its way to shorten the hours of the day's work, nor to accede to any other of the men's proposals. On the point of wages, however, it expressed its willingness to add \$14,000 to the pay roll covered by the schedule of January 1, 1908, and \$4,000 to the Canada Atlantic schedule, to be apportioned as the Company would decide, but without making it apply necessarily to the minimum salaries. The Company's position was that the financial condition of the Grand Trunk and its obligations to its shareholders would not warrant giving the men more than this. The proposal in question was not acceptable to the men, who pointed out that the employees on the Canada Atlantic would, by the abolition of their separate schedule, lose the two weeks' holidays which they at present enjoy.

The Board were unanimous in agreeing that the rules and rates of pay governing agents and telegraphers, effective January 1, 1908, should remain in effect, subject to certain exceptions, and that the same should become effective upon the Canada Atlantic Railway whose lines should be classed as 'branch lines' except from Swanton to Ottawa. The Board were also unanimous in the opinion that article 21, of Rules and Rates of Pay, of January 1, 1908, should be amended so as to provide for minimum salaries per month, as follows:—

	Main Line.	Branch Line.
	\$	\$
Agent and telegrapher, with dwelling, fuel and light.....	50	46
Agent and telegrapher, without dwelling, fuel and light.....	55	51
Telegraphers.....	50	46
Relieving agents or telegraphers' relieving agents.....	75	75

A regular telegrapher called away from home to relieve a telegrapher will be paid a minimum rate of \$5 more than his regular salary.

The Chairman and Mr. Lee were of opinion that the Company should also be asked to increase salaries by an amount equal to six per cent of the schedule of January 1, 1908. Mr. Nesbitt, on the other hand, considered that after accepting the above new minimum salaries the Company would be meeting the needs of the case by distributing \$12,000 to salaries which were above the minimum of the schedule of January 1, 1908. Upon the question of extra pay for Sunday work, Mr. Nesbitt considered that if the Company would recognize the amount of Sunday labour as one factor influencing the distribution of the above mentioned amount of \$12,000, it was as far as it could be asked to go. The Chairman and Mr. Lee were agreed that the Company should be asked to substitute for article 13 of the schedule of January 1, 1908, the following:—

'13. Telegraphers required to work on Sundays will be paid extra for such work *pro rata* on schedule salary based on a thirty-day month (less than thirty minutes not to be counted—over thirty minutes and less than sixty minutes to be counted as one hour) with a minimum compensation of twenty-five cents for each call for which one hour's service shall, if necessary, be rendered.'

It was also proposed, in the report of the Board, that the rules and rates of pay therein provided for should be effective February 1, 1910, and thereafter, subject to ninety days' notice of change.



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On February 28 the Department was informed on behalf of the employees of the latter's willingness to accept the findings of the Board as a basis of settlement. On March 7 a letter was received from the Company expressing a willingness to accept certain of the recommendations of the Board on which a unanimous finding had been given. The Company further promised to endeavour to meet the spirit of the recommendation of the Board in the abolition, as far as possible, of Sunday work, and also promised to revise the work of administration so as to reduce to the smallest possible compass the necessity of such Sunday work. In conclusion the Company stated:—

‘As to further pay, the Company proposes to set aside a larger lump sum than the difference between 6 per cent of the total pay and the increase to the minimum schedules would give, but not as large a sum as a general increase of Sunday pay based upon present conditions would give plus 6 per cent recommended. The Company proposes to deal with such sum as far as possible to cover the question of recognizing some additional remuneration for Sunday work when it is necessary, and to distribute such additional sum as the particular conditions in each case may warrant, having regard to the duties and responsibilities involved, so as to promote and reward as far as possible individual effort. We think this the best practical way of dealing with the situation, while as far as possible meeting what we understand to be the result desired to be arrived at by the Board.’

## REPORT OF BOARD.

The text of the findings of the Board is as follows:—

In the matter of the Industrial Disputes Investigation Act, 1907, and in the matter of differences between the Grand Trunk Railway Company of Canada and its employees, being telegraphers and station agents.

As members of the Board of Conciliation and Investigation appointed to deal with the dispute between the Grand Trunk Railway Company and its employees, being telegraphers and station agents, we beg to report as follows:—

The Grand Trunk Railway Company was represented by Mr. Charles M. Hays, president; Mr. E. H. Fitzhugh, first vice-president, and Mr. W. G. Brownlee, general transportation manager.

The telegraphers were represented by Mr. D. Campbell, third vice-president of the Order of Railroad Telegraphers, and Messrs. J. A. Bell, A. E. Austin, P. A. Robertson, V. Mongeau and B. J. Rowell.

The Board met at Montreal and held sittings on the 8th, 9th and 14th days of February, 1910, and subsequently met for consideration and interviews with the parties on the 16th, 17th, 18th, 21st and 22nd days of February, 1910.

The men proposed that a number of changes should be made in the existing schedule of rules and rates of pay.

Two of these proposed changes may be linked together, namely, (1) the ‘23’ message by which, if adopted, all the men in a division should be notified by bulletin five days in advance of all vacancies and permanent positions coming under the schedule, and ten days allowed the men during which to file applications for such vacancies; and (2) in order that the salaries attached to all positions may be known to the men, they asked that an official wage list showing the salaries of all positions governed by the schedule be attached and become part of the schedule.

Overtime pay was asked for work done on Sundays and legal holidays, the pay to be *pro rata* on schedule salary.



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Overtime pay for meeting late or early trains outside the hours covered by the day's work had been limited to those whose salary, including receipts from all sources, during the preceding year did not exceed \$60 per month.

The men asked that this limitation should be eliminated.

They asked that ten consecutive hours, including meal hour, should constitute a day's work at offices where one or two telegraphers are employed, and that eight consecutive hours, including meal hour, should constitute a day's work at offices where more than two telegraphers are employed.

The men asked that article 13 of the schedule which provides conditionally that work on Sundays and certain legal holidays be paid for extra, should be made to apply unconditionally to all men coming under the schedule.

Two weeks' holidays, with pay, each year were asked for.

It was asked also that the men on the Canada Atlantic should be brought under the same schedules as the other lines east of the Detroit and St. Clair rivers, and that the Canada Atlantic should be classed as a 'main line.'

On the question of wages, the men asked for increases ranging from twelve and one-half per cent to seventeen per cent.

In reply to these propositions the Company announced at the outset that the Canada Atlantic employees would be brought under one schedule with the Company's other telegraphers and agents. It proposed, however, that only the road between Swanton and Ottawa should be classed as 'main line,' and the remainder as 'branch line.'

The Company did not agree to the '23' message and the publication of the wage list.

It could not see its way to agree to shorten the hours of the day's work, nor to any other of the men's proposals.

On the point of wages, however, it expressed its willingness to add \$12,000 to the pay roll covered by the schedule of January 1, 1908, and \$4,000 to the Canada Atlantic schedule, or a total of \$16,000 to be apportioned as the Company would decide, but without making it apply necessarily to the minimum salaries.

This was not acceptable to the men. They pointed out that the men on the Canada Atlantic would, by the abolition of their separate schedule, lose the two weeks' holidays which they enjoy under it. So that taking from the proposed \$4,000, therefore, the amount represented by the loss of holidays, the total sum of money which the Company proposed to distribute would be reduced to less than \$16,500 a year. With this increase they would not be satisfied.

The Company's position was that the financial condition of the Grand Trunk and its obligations to its shareholders would not warrant giving the men more than this.

The Board, after very fully going into every point raised by either party, and giving careful consideration to the interests of the men on the one side and the position of the Company on the other, were unanimous in agreeing that the rules and rates of pay governing agents and telegraphers, effective January 1, 1908, should remain in effect subject to the exceptions hereinafter noted, and, with the same limitation should become effective upon the Canada Atlantic Railway whose lines should be classed as 'branch lines' except from Swanton to Ottawa, which should be classed as 'main line,' the schedule of the Canada Atlantic of 1907 to be cancelled.

The members of the Board were also unanimous in the opinion that article 21 of rules and rate of pay of January 1, 1908, should be amended so as to read as follows:



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21. The minimum salary per month will be as follows:—

	Main Line.	Branch Line.
	\$	\$
Agent and telegrapher, with dwelling, fuel and light.....	56	46
Agent and telegrapher, without dwelling, fuel and light.....	55	51
Telegraphers.....	50	46
Relieving agents or telegraphers' relieving agents.....	75	75
A regular telegrapher called away from home to relieve a telegrapher will be paid a minimum rate of \$5 more than his regular salary.		

At this point the unanimity of the Board ceased. The Chairman and Mr. Lee were of the opinion that the Company should be asked to increase salaries by an amount equal to six per cent of the schedule of January 1, 1908. That in order to effect this it should be ascertained what amount of money represents six per cent of the annual wage list, and that after the increases represented in the above minimum salaries be deducted from that amount, the balance should be divided and apportioned by the Company to salaries which are above the minimum schedule of January 1, 1908.

Mr. Nesbitt, on the other hand, considered that after accepting the above new minimum salaries the Company would be meeting the needs of the case by distributing \$12,000 to salaries which were above the minimum of the schedule of January 1, 1908.

Upon the question of extra pay for work on Sundays, Mr. Nesbitt considered that if the Company would recognize the amount of Sunday labour as one factor influencing the distribution of this \$12,000, it was as far as it should be asked to go.

The Chairman and Mr. Lee went further than this, and agreed that the Company should be asked to substitute for article 13 of the schedule of January 1, 1908, the following:—

13. Telegraphers required to work on Sundays will be paid extra for such work *pro rata* on schedule salary based on a thirty-day month (less than thirty minutes not to be counted, over thirty minutes and less than sixty minutes to be counted as one hour) with a minimum compensation of twenty-five cents for each call for which one hour's service shall, if necessary, be rendered.

As amended in accordance with the report herein of the majority of the Board the rules and rates of pay should be effective February 1, 1910, and thereafter, subject to ninety days' notice of change.

(Sgd.) J. E. ATKINSON,

Chairman.

WALLACE NESBITT,

W. T. J. LEE.

Toronto, February 22, 1910.



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**XXII.—APPLICATION FROM BRITISH COLUMBIA COPPER COMPANY,  
GREENWOOD, B.C.—BOARD ESTABLISHED—FINDINGS COMMUNI-  
CATED TO EMPLOYEES.**

*Application received.*—January 8, 1910.

*Parties concerned.*—British Columbia Copper Company, Greenwood, B.C., and employees.

*Applicants.*—Employer.

*Nature of industry concerned.*—Metal mining.

*Nature of dispute.*—Employees' unwillingness to work with non-union men.

*Number of employees affected.*—350.

*Date of constitution of Board.*—January 22, 1910.

*Membership of Board.*—Mr. J. H. Senkler, Vancouver, B.C., Chairman, appointed by the Minister in the absence of any joint recommendation from the other members of the Board; Mr. J. A. Mara, Victoria, B.C., appointed on the recommendation of the employing Company; and Mr. John McInnis, M.P.P., Phoenix, B.C., appointed on the recommendation of the employees.

*Reports received.*—March 1 and March 29, 1910.

*Result of inquiry.*—Report of Board was accompanied by minority report signed by Mr. John McInnis, member appointed on behalf of the employees. The Board's report was in favour of the Company and the minority report in favour of the men.

The Minister received on March 29 the report of the Board of Conciliation and Investigation to which had been referred certain differences between the British Columbia Copper Company, of Greenwood, B.C., and certain of its employees, members of Greenwood Miners' Union, No. 22, of the Western Federation of Miners. The report in question was signed by Mr. J. H. Senkler, of Vancouver, B.C., Chairman, and Mr. J. A. Mara, of Victoria, B.C., member appointed on the recommendation of the employer. On March 1 a minority report on the differences in question was received from Mr. J. McInnis, of Phoenix, B.C., member appointed on behalf of the employees.

This dispute arose out of a communication which was addressed to the manager of the British Columbia Copper Company on December 8, 1909, by the secretary of Greenwood Miners' Union, No. 22, of the Western Federation of Miners, in which the Company was informed that 'unless every man (except officials and shift-bosses) working in the mines and smelter, under our jurisdiction, has a paid-up card in our union by noon, the 11th of January, 1910, we will go out on strike and refuse to work with the non-union men.'

In its report the Board declared that the sole question to be considered by it was whether it was in the interests of the employers, employees and immediate community that the demand of the Western Federation of Miners, as contained in the letter of the 8th of December, 1909, should be complied with by the Company or not. In its hearing of evidence bearing on the present dispute, the Board was informed of the circumstances attending a strike which occurred in the Company's mines in the summer of 1909, and of the terms on which this dispute was terminated. The Board found in its report that there is no justification whatever for the union's demand above mentioned, and said: 'We are of the opinion that the Company should not be



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deprived of its undoubted right to hire and discharge its employees so long as it exercises no discrimination amongst them. Indeed, if the present demands of the union were conceded, the Company would be most unjustly discriminating against those of its employees who do not belong to the Western Federation of Miners. It is undisputed that general conditions at the Company's works and mines are good, no complaint being made against the wages or working hours, every employee who gave evidence agreeing to this.'

In conclusion, the Board observed that 'while the Board, at the conclusion of its sittings was unable to conclude a settlement between the parties to this dispute, we are confident that the members of the union will, upon careful reconsideration of the questions involved in this dispute, agree with us that the proposed strike is quite unnecessary and, indeed, unreasonable, and will not declare a strike which would result in the closing down of the Company's plant and mines, loss of employment to hundreds of men and consequent want and distress to themselves and their wives and children, and general loss to the community which is dependent practically upon the pay-roll of the British Columbia Copper Company for its existence.'

In his minority report Mr. John McInnis expressed himself as unable to agree with his colleagues upon the points in question. It was, he said, a difficult matter indeed to convey to those who were not familiar with local conditions in the Boundary district a thorough idea relative to the facts connected with the various aspects of this dispute. Briefly stated, it was a controversy arising from an endeavour on the part of the Miners' Union to maintain their jurisdiction against the encroachment of a so-called 'Electricians' Union.' In bringing this matter to an issue, the miners' union had adopted, in his judgment, the only methods that could promise a reasonable measure of success. The miners' stand against the formation of dual unions in the mining industry was, he adverted, absolutely correct, both in regard to the interests of the workmen and of the industries as well. Mr. McInnis observed in conclusion: 'It is regrettable that the parties to the dispute have been unable to come to some understanding that would avoid a suspension of work, and until such time as both parties are willing to lay aside the mutual distrust that exists between them, there seems to be but a slim chance to arrive at an adjustment containing any degree of permanency.'

## REPORT OF BOARD.

The text of the findings of the Board of Conciliation and Investigation in this matter is as follows:—

In the matter of the Industrial Disputes Act, 1907, and of a dispute between the British Columbia Copper Company, Limited, of Greenwood, British Columbia (employer) and its employees, members of the Greenwood Miners' Union, No. 22, of the Western Federation of Miners:—

The application for a Board of Conciliation and Investigation arose out of a demand made by the Greenwood Miners' Union, No. 22, of the Western Federation of Miners, as contained in a letter dated December 8, 1909, directed to J. E. McAllister, manager of the British Columbia Copper Company at Anaconda, and which letter is as follows:

Greenwood, B.C., December 8, 1909.

Mr. J. E. McALLISTER,  
Manager B. C. Copper Coy.,  
Anaconda, B.C.

Dear Sir,—At a special meeting of Greenwood Miners' Union, December 6, 1909, at Mother Lode mine, the following motion was carried unanimously:—



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Regularly moved and seconded, that the secretary be instructed to notify the manager of the B. C. Copper Company that unless every man (except officials and shift-bosses) working in the mines and smelter, under our jurisdiction, has a paid-up card in our union by noon, the 11th of January, 1910, we will go out on strike and refuse to work with the non-union men.

At a special meeting of Greenwood Miners' Union, at Greenwood, December 7, the above motion was endorsed by a unanimous vote.

Yours truly,

GEORGE HEATHERTON.

At the outset of the investigation we were of the opinion that the sole question to be considered by the Board was as to whether it was in the interests of the employers, employees and immediate community that the demand of the Western Federation of Miners, as contained in the above letter of the 8th of December, 1909, should be complied with by the Company or not.

As must necessarily occur where proceedings such as these are not restricted to that class of evidence, which should be received in a court of law, a tremendous amount of irrelevant matter was introduced as evidence at our sessions, but after hearing it all and again reading the stenographer's notes thereof, we are most firmly convinced that the above question is the only one to be considered. The facts do not appear to be disputed, and are as follows:—

In, or about, the month of March, 1909, the same union of the Western Federation of Miners asked for a Board of Conciliation under this Act, their principal complaint being that the Company had discriminated against their men and that the Company had not recognized their union as such. The then Board of Conciliation or a majority thereof, found adversely against the applicant union on the point of discrimination, and held that the Company should recognize the union as such.

Subsequently, in or about the month of July of the same year, a strike was declared by the union, although it appeared that at the time, because of a shortage of coke consequent upon a strike at the adjacent coal mines, the Company's plant had been shut down.

After some negotiations between the Company and the employees, and with the assistance of Mr. John McKinnon, who was president of the Western Federation of Miners in Canada, a settlement was arrived at between the employers and the employees. This settlement is contained in a letter dated July 23, 1909, written by the British Columbia Copper Company to the secretary of the union, and answered by that union on the 26th day of July, 1909, copies of which appear hereunder.

July 23, 1909.

W. B. EMBREE, Esq.,

Acting Secy. Greenwood Miners' Union, No. 22,  
Greenwood, B.C.

Dear Sir,—We have your letter of the 19th inst., and have noted what you say regarding the stand taken by the union. Since the receipt of your letter, Mr. John McKinnon and Mr. Chas. Brice have discussed the situation with us, which discussion we now write to confirm.

We told these gentlemen that it was our intention to accord your organization the same measure of recognition as was given it by the other large operating companies in this district. We believed that the adoption of a standard policy in this direction would tend towards maintaining industrial peace and be of mutual benefit to the companies and the employees.

To concur in your request for a free choice of doctor and a written agreement would be an immediate violation of this policy, and, in our opinion, could not be productive of anything but unsatisfactory results. In addition to what has already



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been told your committee and to the union in our letter of the 17th inst. regarding the subject of doctor, we told Messrs. McKinnon and Brice to-day that the matter was one absolutely in the hands of our employees, the Company insisting on only the one point, that the work should be handled by one physician, who should have one or more assistants. This matter being one of mutual benefit to the Company and its employees, and not being in violation of any union principle (being adopted by union men elsewhere in the district), we are unable to consider it otherwise.

Regarding discrimination, we contended that there had been none in the past and assured your representatives that there would be none in the future. The right to hire and discharge such men as we think necessary in our interests must of course remain with us, but any man claiming to be discriminated against could take the matter up with his union and the committee would be given a hearing.

It is our intention to resume operations next week, and we hope by that time your members will be ready to go to work. We have endeavoured to set the stand of the Company clearly before you, and having offered the same recognition, the same wages and the same conditions of employment as the other large operating companies of the district, we cannot see how, in fairness to us and yourselves, you can continue this strike.

Your truly,

For General Manager.

Greenwood, B.C., July 26, 1909.

Mr. EDW. G. WARREN,

Act. Gen. Man. B. C. C. Co.

Dear Sir,—The members of this union have accepted the conditions you stated in your communication of July 23 and declared the strike off.

I was instructed to inform you that we expect you to live up, not only to the letter of your communication, but to the spirit of the sentiments you expressed to our committee.

Yours very truly,

WM. B. EMBREE,

Act. Sec. Treas.

On the 8th December the union notified the Company as stated above.

From the evidence, we concluded that there are employed at the smelter from twelve to fifteen men who are not members of the Western Federation of Miners, of which a small proportion are non-union men, the remainder being members of craft unions which are affiliated with the American Federation of Labour. There was nothing definite in the evidence as to the number of men at the mines of the Company who did not belong to the Western Federation of Miners, but it appeared that the proportion there was about the same as at the smelter, and in round numbers from fifteen to twenty.

While Mr. Heatherton, in his address to the Board, suggested that the employees had some slight grievances against the Company, it is quite clear that these supposed grievances do not exist, and we find as a fact that the sole reason why this demand of the 8th of December, 1909, was made by the union was its desire for more power, Mr. Heatherton's own evidence being clear and distinct on this point.

We cannot find in the evidence that the Company has in any way broken its agreement as contained in the letters of the 23rd and 26th days of July, 1909, no charges of discrimination having been proved, and it appearing that the Company had recognized and dealt with the union as such.

Some considerable time of the Board was taken up in hearing evidence as to the power of the union to declare a strike without taking a referendum vote as required



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by section 1 of article 5 of the Constitution and By-laws of the Western Federation of Miners, which reads as follows:—

## STRIKES AND ADJUSTMENTS.

‘Section 1. It shall be unlawful for any union to enter upon a strike unless ordered by two-thirds of the votes cast upon the question; such question shall be decided by a referendum vote, notice of such referendum vote posted three days in advance, vote to be by ballot, and polls to be open for not less than eight hours. No call shall be made for a referendum vote on a strike until after having received the approval of the Executive Board of the W. F. M.’

And while we are of the opinion that by said constitution the union must not declare a strike for any reason without first having complied with that section, still that has very little to do with the present matter except as evidence to show that the union has not exercised that care and deliberation in its proceedings, particularly amongst its own members, which are undoubtedly necessary in connection with so serious a matter as a strike, such as the present contemplated one. Neither do we think it necessary to draw more than passing attention to the fact that from the evidence it appears that the actual carrying out of the strike is left with the chief officers or executive of the Western Federation of Miners at its headquarters, we think, in Denver, Colorado.

From these facts we can come to but one conclusion, that there is no justification whatever for the union's demand of the 8th of December, 1909. We are of the opinion that the Company should not be deprived of its undoubted right to hire and discharge its employees so long as it exercises no discrimination amongst them. Indeed, if the present demands of the union were conceded, the Company would be most unjustly discriminating against those of its employees who do not belong to the Western Federation of Miners.

It is undisputed that general conditions at the Company's works and mines are good, no complaint being made against the wages or working hours, every employee who gave evidence agreeing to this.

While the Board, at the conclusion of its sittings at Greenwood, were unable to conclude a settlement between the parties to this dispute, we are confident that the members of the union will, upon careful reconsideration of the questions involved in this dispute, agree with us that the proposed strike is quite unnecessary, and, indeed, unreasonable, and will not declare a strike which would result in the closing down of the Company's plant and mines, loss of employment to hundreds of men, and consequent want and distress to themselves and their wives and children and general loss to the community which is dependent, practically entirely, upon the pay-roll of the B. C. Copper Company for its existence.

Dated at Vancouver this 19th day of March, 1910.

(Sgd.) J. H. SENKLER,

Chairman.

J. A. MARA.



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## MINORITY REPORT.

The text of the minority report of Mr. John McInnis, above referred to, is as follows:—

DEPARTMENT OF LABOUR,  
Ottawa, Canada.

In the matter of the dispute between the British Columbia Copper Company and the Greenwood Miners' Union, No. 22, of the Western Federation of Miners, and the investigation held thereon, under the 'Provisions of the Industrial Disputes Investigation Act, 1907.'

Being unable to agree with my colleagues on the Board as to a joint report, I therefore submit herein a minority report.

It is a difficult matter, indeed, to convey to those who are not familiar with local conditions in the Boundary district a thorough idea relative to the facts connected with the various aspects of this dispute. Stating it briefly, it is a controversy arising from an endeavour on the part of the miners' union to maintain their jurisdiction against the encroachment of a so-called 'Electricians' Union.'

The Western Federation of Miners has been organized in the Boundary district over eleven years, and held jurisdiction over all men working in and around the mills, mines and smelters (including skilled labour. But recently the Electricians' Union has been making inroads upon the membership of the Western Federation of Miners. A course, which is quite apparent, had the sanction and support of the British Columbia Copper Company, as their bosses were the most active in soliciting members for this new union. It was made plain by the evidence taken that the Electricians' Union solicited and admitted to membership persons who were neither eligible nor qualified to become members. Also that the employees of the British Columbia Copper Company who are affiliated with the Electricians' Union do not belong to a local lodge, but are members of a lodge in another town in the district where the president of the lodge is foreman in the electrical department of a large mining corporation.

In view of these facts it is not surprising that the members of the miners' union should take steps to protect themselves when their existence as an organization was seriously threatened.

In bringing this matter to an issue the miners' union adopted the only method that could promise a reasonable measure of success.

The miners in taking a stand against the forming of dual unions in the mining industry are doing what, in the opinion of the writer, is absolutely correct, both in regard to their own interests as workmen and the industries as well. So long as the workmen in any industry are organized into one union, they have an opportunity of coming together and discussing matters pertaining to their welfare and taking such steps as are best calculated to conserve the interests of all concerned.

Under this mode it is possible to restrain those who would otherwise make unreasonable demands. Such demands would not receive the support of the general body. So that actions of a reasonable nature only would be supported. This system gives every man involved a voice in all matters relating to conditions, in so far as they are determined by the efforts of organized labour. The system that is being introduced by the electricians' union gives each craft engaged in any industry the right to organize into separate unions. This method would allow some eight or ten unions in the mining industry. Such a condition would cause a continual unrest owing to the fact that the members of any of these craft unions could go out on strike without consulting their fellow workmen, although the effect of the strike would be to tie up the entire industry. This being the case, there can be no beneficial results follow the establishment of unions where the ground is already covered. To insist



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on tactics of this character will have the effect of bringing about a condition of affairs so unsatisfactory to all concerned that much loss will ensue, not only to the working class of the district, but to the employers and every person who has an interest in the community.

When men who hold positions as bosses for corporations are permitted to hold the most important offices in labour unions, it is high time the membership began to look with suspicion on unions so constituted. It is regrettable that the parties to the dispute have been unable to come to some understanding that would avoid a suspension of work, and until such time as both parties are willing to lay aside the mutual distrust that exists between them, there seems to be but a slim chance to arrive at an adjustment containing any degree of permanency.

(Sgd.) JOHN MCINNIS.



### APPLICATIONS WHERE PROCEEDINGS WERE UNFINISHED AT THE CLOSE OF THE FINANCIAL YEAR.

In addition to the applications received and disposed of prior to the close of the financial year, the following applications had been received, concerning which proceedings were still pending on March 31, 1910:—

1. An application from the Alberta Coal Mining Company, Cardiff, Alta., the number of employees concerned being estimated at 35 directly and 25 indirectly.

2. An application from the conductors, baggagemen, brakemen and yardmen employed by the Canadian Pacific Railway Company, the number of employees concerned being estimated at 4,360.

3. An application from the conductors, baggagemen, brakemen and yardmen employed by the Grand Trunk Railway Company, the number of employees concerned being estimated at 3,017.

4. An application from the conductors, baggagemen, brakemen and yardmen employed by the Toronto, Hamilton and Buffalo Railway Company, the number of employees concerned being estimated at 101.

5. An application from the telegraph and station employees of the Grand Trunk Pacific Railway Company, the number of employees concerned being estimated at 75.

6. An application from the employees of the Dominion Atlantic Railway Company, the number of employees concerned being estimated at 4 directly and 25 indirectly.

7. An application from the Syndicated Longshoremen of the port of Montreal employed by the Shipping Federation of Canada, comprising various lines of steamships navigating to Montreal, the number of employees concerned being estimated at 1,800.

### THE MANITOBA CARTAGE COMPANY DISPUTE.

In the summary statement of proceedings appearing in the chapter devoted to the Industrial Disputes Investigation Act in this report, reference has been made to the dispute between the Manitoba Cartage Company, Limited, of Winnipeg, and its employees. The report of the Board in this case was received on April 1, 1909, and will be found in the Appendix to the annual report of the department for the year ending March 31, 1909, at pages 314 to 325.







An Act to aid in the Prevention and Settlement of Strikes and Lockouts in Mines and Industries connected with Public Utilities. (6-7 Edward VII, chap. 20, as amended by 10-11 Edward VII, chap. 29).

**H**IS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. This Act may be cited as The Industrial Disputes Investigation Act, 1907. Short title.

PRELIMINARY.

*Interpretation.*

2. In this Act, unless the context otherwise requires—

(a) “Minister” means the Minister of Labour;

“Minister.”

(b) “department” means the Department of Labour;

“Department.”

(c) “employer” means any person, company or corporation employing ten or more persons and owning or operating any mining property, agency of transportation or communication, or public service utility, including, except as hereinafter provided, railways, whether operated by steam, electricity or other motive power, steamships, telegraphs and telephone lines, gas, electric light, water and power works;

“Employer.”

(d) “employee” means any person employed by an employer to do any skilled or unskilled manual or clerical work for hire or reward in any industry to which this Act applies;

“Employee.”

(e) “dispute” or “industrial dispute” means any dispute or difference between an employer and one or more of his employees, as to matters or things affecting or relating to work done or to be done by him or them, or as to the privileges,

“Dispute.”  
“Industrial  
dispute.”



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rights and duties of employers or employees (not involving any such violation thereof as constitutes an indictable offence); and, without limiting the general nature of the above definition, includes all matters relating to—

- (1) the wages allowance or other remuneration of employees, or the price paid or to be paid in respect of employment;
- (2) the hours of employment, sex, age, qualification or status of employees, and the mode, terms and conditions of employment;
- (3) the employment of children or any person or persons or class of persons, or the dismissal of or refusal to employ any particular person or persons or class of persons;
- (4) claims on the part of an employer or any employee as to whether and, if so, under what circumstances, preference of employment should or should not be given to one class over another of persons being or not being members of labour or other organizations, British subjects or aliens;
- (5) materials supplied and alleged to be bad, unfit or unsuitable, or damage alleged to have been done to work;
- (6) any established custom or usage, either generally or in the particular district affected;
- (7) the interpretation of an agreement or a clause thereof;

“Lockout.”

(f) “lockout” (without limiting the nature of its meaning) means a closing of a place of employment, or a suspension of work, or a refusal by an employer to continue to employ any number of his employees in consequence of a dispute, done with a view to compelling his employees, or to aid another employer in compelling his employees, to accept terms of employment;

“Strike.”

(g) “strike” or “to go on strike” (without limiting the nature of its meaning) means the cessation of work by a body of employees acting in combination, or a concerted refusal or a refusal under a common understanding of any number of employees to continue to work for an employer, in consequence of a dispute, done as a means of compelling their employer, or to aid other employees in compelling their employer, to accept terms of employment;

“Board.”

(h) “board” means a Board of Conciliation and Investigation established under the provisions of this Act;

“Application.”

(i) “application” means an application for the appointment of a Board under the provisions of this Act;

“Registrar.”

(j) “Registrar” means the Registrar of Boards of Conciliation and Investigation under this Act;

“Prescribed.”

(k) “prescribed” means prescribed by this Act, or by any rules or regulations made thereunder;

“Trade union.”

(l) “trade union” or “union” means any organization of employees formed for the purpose of regulating relations between employers and employees



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*Administration.*

3. The Minister of Labour shall have the general administration of this Act.

Minister of  
Labour to  
administer Act.

4. The Governor in Council shall appoint a Registrar of Boards of Conciliation and Investigation, who shall have the powers and perform the duties prescribed.

Registrar.

2. The office of Registrar may be held either separately or in conjunction with any other office in the public service, and in the latter case the Registrar may, if the Governor in Council thinks fit, be appointed, not by name, but by reference to such other office, whereupon the person who for the time being holds such office, or performs its duties, shall by virtue thereof be the Registrar.

## BOARDS OF CONCILIATION AND INVESTIGATION.

*Constitution of Boards.*

5. Whenever any dispute exists between an employer and any of his employees, and the parties thereto are unable to adjust it, either of the parties to the dispute may make application to the Minister for the appointment of a Board of Conciliation and Investigation, to which Board the dispute may be referred under the provisions of this Act: Provided, however, that, in the case of a dispute between a railway company and its employees, such dispute may be referred, for the purpose of conciliation and investigation, under the provisions concerning railway disputes in the Conciliation and Labour Act.

Reference of dis-  
putes to Boards of  
Conciliation and  
Investigation.

6. Whenever, under this Act, an application is made in due form for the appointment of a Board of Conciliation and Investigation, and such application does not relate to a dispute which is a subject of a reference under the provisions concerning railway disputes in the Conciliation and Labour Act, the Minister, whose decision for such purpose shall be final, shall, within fifteen days from the date at which the application is received, establish such Board under his hand and seal of office, if satisfied that the provisions of this Act apply.

Minister to appoint  
Boards on applica-  
tion.

7. Every Board shall consist of three members who shall be appointed by the Minister.

Members of  
Board.

2. Of the three members of the Board one shall be appointed on the recommendation of the employer and one on the recommendation of the employees (the parties to the dispute), and the third on the recommendation of the members so chosen.

8. For the purposes of appointment of the members of the Board, the following provisions shall apply:—

Procedure for ap-  
pointment of  
members of Board

1. Each party to the dispute may, at the time of making application or within five days after being requested so to do



by the Minister, recommend the name of one person who is willing and ready to act as a member of the Board, and the Minister shall appoint such person a member of the Board.

2. If either of the parties fails or neglects to duly make any recommendation within the said period, or such extension thereof as the Minister, on cause shown, grants, the Minister shall, as soon thereafter as possible, appoint a third person to be a member of the Board, and such member shall be deemed to be appointed on the recommendation of the said party.

3. The member chosen on the recommendation of the parties may, within ten days after their appointment, recommend the name of one person who is willing and ready to act as a third member of the Board, and the Minister shall appoint such person a member of the Board.

4. If the member chosen on the recommendation of the parties fails or neglects to duly make any recommendation within the said period, or such extension thereof as the Minister, on cause shown, grants, the Minister shall, as soon thereafter as possible, appoint a third person to be a third member of the Board, and such member shall be deemed to be appointed on the recommendation of the two other members of the Board.

5. The third member shall be the Chairman of the Board.

6. As soon as possible after the first Board has been appointed by the Minister, the Department shall notify the parties of the names of the members of the Board and the Chairman thereof, and such notification shall be final and conclusive for all purposes.

7. Every member of a Board shall hold office from the date of his appointment until the report of the Board is signed and transmitted to the Minister.

8. No person shall act as a member of a Board who has any direct pecuniary interest in the case of a dispute referred to such Board.

9. Every vacancy in the membership of a Board shall be supplied in the same manner as in the case of the original appointment of every person appointed.

10. Before entering upon the exercise of the functions of their office the members of a Board, including the Chairman, shall make and so affirm under oath or affirmation that they will faithfully and impartially perform the duties of their office, and also that, except in the discharge of their duties, they will not disclose to any person any of the contents of any matter brought before the Board.

11. The Department may provide the Board with a secretary, and may pay or make good such remuneration as to the Minister appears reasonable for the efficient carrying out of the provisions of this Act.



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*Procedure for Reference of Disputes to Boards.*

15. For the purpose of determining the manner in which, and the persons by whom, an application for the appointment of a Board is to be made, the following provisions shall apply:—

Manner in which application to be made.

1. The application shall be made in writing in the prescribed form, and shall be in substance a request to the Minister to appoint a Board to which the existing dispute may be referred under the provisions of this Act.

2. The application shall be accompanied by—

(a) A statement setting forth—

- (1) the parties to the dispute;
- (2) the nature and cause of the dispute, including any claims or demands made by either party upon the other, to which exception is taken;
- (3) an approximate estimate of the number of persons affected or likely to be affected by the dispute;
- (4) the efforts made by the parties themselves to adjust the dispute;

and—

(b) A statutory declaration setting forth that, failing an adjustment of the dispute or a reference thereof by the Minister to a Board, to the best of the knowledge and belief of the declarant a lockout or strike will be declared, and (except where the application is made by an employer in consequence of an intended change in wages or hours proposed by the said employer) that the necessary authority to declare such lockout or strike has been obtained; or, where a dispute directly affects employees in more than one province and such employees are members of a trade union having a general committee authorized to carry on negotiations in disputes between employers and employees and so recognized by the employer, a statutory declaration by the chairman or president and by the secretary of such committee setting forth that, failing an adjustment of the dispute or a reference thereof by the Minister to a Board, to the best of the knowledge and belief of the declarants a strike will be declared, that the dispute has been the subject of negotiations between the committee and the employer, that all efforts to obtain a satisfactory settlement have failed, and that there is no reasonable hope of securing a settlement by further negotiations.

Statutory declaration to accompany application for appointment of Board.

Declaration by officers of trade union.

3. The application may mention the name of a person who is willing and ready and desires to act as a member of the Board representing the party or parties making the application.

16. The application and the declaration accompanying it—

- (1) if made by an employer, an incorporated company or corporation, shall be signed by some one of its duly authorized managers or other principal executive officers;

Signatures to application.



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- (2) if made by an employer other than an incorporated company or corporation, shall be signed by the employer himself in case he is an individual, or a majority of the partners or members in case of a partnership firm or association;
- (3) if made by employees members of a trade union, shall be signed by two of its officers duly authorized by a majority vote of the members of the union, or by a vote taken by ballot of the members of the union present at a meeting called on not less than three days' notice for the purpose of discussing the question; or, where a dispute directly affects employees in more than one province and such employees are members of a trade union having a general committee authorized to carry on negotiations in disputes between employers and employees, and so recognized by the employer, may be signed by the chairman or president and by the secretary of the said committee;
- (4) if made by employees some or all of whom are not members of a trade union, shall be signed by two of their number duly authorized by a majority vote taken by ballot of the employees present at a meeting called on not less than three days' notice for the purpose of discussing the question.

Application to be transmitted by registered letter.

17. Every application for the appointment of a Board shall be transmitted by post by registered letter addressed to the Registrar of Boards of Conciliation and Investigation, Department of Labour, Ottawa, and the date of the receipt of such registered letter at the department shall be regarded as the date of the receipt of such application.

Party making application to transmit copy to other party to dispute.

18. In every case where an application is made for the appointment of a Board the party making application shall, at the time of transmitting it to the Registrar, also transmit by registered letter to the other party to the dispute, or by personal delivery, a copy of the application and of the accompanying statement and declaration.

Statement in reply to be made and sent to Registrar and to party making application

19. Upon receipt by either party to a dispute of a copy of the application for the appointment of a Board such party shall, without delay, prepare a statement in reply to the application and transmit it by registered letter, or by personal delivery, to the registrar and to the party making the application.

To whom communications transmitting copies of applications and replies between parties are to be sent.

20. Copies of applications or statements in reply thereto, to be transmitted to the other party under any of the preceding sections where the other party is—

- (1) an employer, an incorporated company or corporation, shall be sent to the manager or other principal executive officer of the company or corporation;



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- (2) an employer other than an incorporated company or corporation shall be sent to the employer himself or to the employer in the name of the business or firm as commonly known;
- (3) composed of employees, members of a trade union, shall be sent to the president and secretary of such union;
- (4) composed of employees some or all of whom are not members of a trade union,—

(a) Where some of the employees are members of a trade union, shall be sent to the president and secretary of the union as representing the employees belonging to the union; also

(b) Where some of the employees are not members of a trade union and there are no persons authorized to represent such employees, shall be sent to ten of their number;

(c) Where, under paragraph (4) of section 16, two persons have been authorized to make an application, shall be sent to such two persons.

21. Any dispute may be referred to a Board by application in that behalf made in due form by any party thereto; provided that no dispute shall be the subject of reference to a Board under this Act in any case in which the employees affected by the dispute are fewer than ten.

Jurisdiction.

At least ten employees to be affected by dispute.

22. Upon the appointment of the Board the Registrar shall forward to the chairman a copy of the application for the appointment of such Board, and of its accompanying statement and declaration, and of the statement in reply, and the Board shall forthwith proceed to deal with the matters referred to in these documents.

Method of referring disputes to Board.

*Functions, Powers and Procedure of Boards.*

23. In every case where a dispute is duly referred to a Board it shall be the duty of the Board to endeavour to bring about a settlement of the dispute, and to this end the Board shall, in such manner as it thinks fit, expeditiously and carefully inquire into the dispute and all matters affecting the merits thereof and the right settlement thereof. In the course of such inquiry the Board may make all such suggestions and do all such things as it deems right and proper for inducing the parties to come to a fair and amicable settlement of the dispute, and may adjourn the proceedings for any period the Board thinks reasonable to allow the parties to agree upon terms of settlement.

Duties of Board.

24. If a settlement of the dispute is arrived at by the parties during the course of its reference to the Board, a memorandum of the settlement shall be drawn up by the Board and signed by the parties, and shall, if the parties so agree, be binding as if made a recommendation by the Board under section 62 of this Act, and a copy thereof with a report upon the proceedings shall be forwarded to the Minister.

Where settlement effected, memorandum of same with report to be forwarded to Minister.



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Where settlement not effected Board to make report with recommendations.

25. If a settlement of the dispute is not arrived at during the course of its reference to the Board, the Board shall make a full report thereon to the Minister, which report shall set forth the various proceedings and steps taken by the Board for the purpose of fully and carefully ascertaining all the facts and circumstances, and shall also set forth such facts and circumstances, and its findings therefrom, including the cause of the dispute and the Board's recommendation for the settlement of the dispute according to the merits and substantial justice of the case.

Form in which recommendation shall be made.

26. The Board's recommendation shall deal with each item of the dispute and shall state in plain terms, and avoiding as far as possible all technicalities, what in the Board's opinion ought or ought not to be done by the respective parties concerned. Wherever it appears to the Board expedient so to do, its recommendation shall also state the period during which the proposed settlement should continue in force, and the date from which it should commence.

Report and recommendation to be made to the Minister in writing.

27. The Board's report and recommendation shall be made to the Minister in writing, and shall be signed by such of the members as concur therein, and shall be transmitted by the chairman by registered letter to the Registrar as soon as practicable after the reference of the dispute to the Board; and in the same manner a minority report may be made by any dissenting member of the Board.

Filing and distribution of report.

28. Upon receipt of the Board's report the Minister shall forthwith cause the report to be filed in the office of the Registrar and a copy thereof to be sent free of charge to the parties to the dispute, and to the representative of any newspaper published in Canada who applies therefor, and the Minister may distribute copies of the report, and of any minority report, in such manner as to him seems most desirable as a means of securing a compliance with the Board's recommendation. The Registrar shall, upon application, supply certified copies for a prescribed fee, to persons other than those mentioned in this section.

Publication of report.

29. For the information of Parliament and the public, the report and recommendation of the Board, and any minority report, shall, without delay, be published in the *Labour Gazette*, and be included in the annual report of the Department of Labour to the Governor General.

Powers of Board to summon witnesses, compel testimony and produce testimony and production of documents.

30. For the purpose of its inquiry the Board shall have all the powers of summoning before it, and enforcing the attendance of witnesses, of administering oaths, and of requiring witnesses to give evidence on oath or on solemn affirmation (if they are persons entitled to affirm in civil matters) and to produce such books, papers or other documents or things as the Board deems requisite to the full investigation of the matters into which it is inquiring, as is vested in any court of record in civil cases.



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2. Any member of the Board may administer an oath, and the Board may accept, admit and call for such evidence as in equity and good conscience it thinks fit, whether strictly legal evidence or not.

31. The summons shall be in the prescribed form, and may require any person to produce before the Board any books, papers or other documents or things in his possession or under his control in any way relating to the proceedings. Form of summons.

32. All books, papers and other documents or things produced before the Board, whether voluntarily or in pursuance to summons, may be inspected by the Board, and also by such parties as the Board allows; but the information obtained therefrom shall not, except in so far as the Board deems it expedient, be made public, and such parts of the books, papers or other documents as in the opinion of the Board do not relate to the matter at issue may be sealed up. Documents not to be made public.

33. Any party to the proceedings shall be competent and may be compelled to give evidence as a witness. Parties may be compelled to be witnesses.

34. Every person who is summoned and duly attends as a witness shall be entitled to an allowance for expenses according to the scale for the time being in force with respect to witnesses in civil suits in the superior courts in the province where the inquiry is being conducted. Allowance to witnesses.

35. Where a reference has been made to the Board of a dispute between a railway company and its employees, any witness summoned by the Board in connection with the dispute shall be entitled to free transportation over any railway en route when proceeding to the place of meeting of the Board and thereafter returning to his home, and the Board shall furnish to such witness a proper certificate evidencing his right to such free transportation. Witnesses in railway disputes to be entitled to free transportation.

36. If any person who has been duly served with such summons and to whom at the same time payment or tender has been made of his reasonable travelling expenses according to the aforesaid scale, fails to duly attend or to duly produce any book, paper or other document or thing as required by his summons, he shall be guilty of an offence and liable to a penalty not exceeding one hundred dollars, unless he shows that there was good and sufficient cause for such failure. Penalty for failing to obey summons.

37. If, in any proceedings before the Board, any person wilfully insults any member of the Board or wilfully interrupts the proceedings, or without good cause refuses to give evidence, or is guilty in any other manner of any wilful contempt in the face of the Board, any officer of the Board or any constable may take the person offending into custody and remove him from the precincts of the Board, to be detained in custody until the rising of the Board, and the person so offending shall be liable to a penalty not exceeding one hundred dollars. Contempt of the Board.



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View by direction  
of Board.

Power to interro-  
gate, examination  
of factories, etc.

Inspection of work

How parties may  
be represented  
before Board.

Parties to be  
bound by acts of  
representatives.

Counsel or solici-  
tors excluded ex-  
cept by consent of  
parties and of  
Board.

Members of Board  
to be British sub-  
jects.

Presence of parties.

Time and place of  
sittings of Board

Proceedings to be  
public unless  
otherwise deter-  
mined by Board.

38. The Board, or any member thereof, and, on being authorized in writing by the Board, any other person, may, without any other warrant than this Act, at any time, enter any building, mine, mine workings, ship, vessel, factory, workshop, place or premises of any kind, wherein, or in respect of which, any industry is carried on or any work is being or has been done or commenced, or any matter or thing is taking place or has taken place, which has been made the subject of a reference to the Board, and inspect and view any work, material, machinery, appliance or article therein, and interrogate any persons in or upon any such building, mine, mine workings, ship, vessel, factory, workshop, place or premises as aforesaid, in respect of or in relation to any matter or thing hereinbefore mentioned, and any person who hinders or obstructs the Board or any such person authorized as aforesaid, in the exercise of any power conferred by this section, shall be guilty of an offence and be liable to a penalty not exceeding one hundred dollars.

39. Any party to a reference may be represented before the Board by three or less than three persons designated for the purpose, or by counsel or solicitor where allowed as hereinafter provided.

40. Every party appearing by a representative shall be bound by the acts of such representative.

41. No counsel or solicitor shall be entitled to appear or be heard before the Board, except with the consent of the parties to the dispute, and notwithstanding such consent the Board may decline to allow counsel or solicitors to appear.

42. Persons other than British subjects shall not be allowed to act as members of a Board.

43. If without good cause shown, any party to proceedings before the Board fails to attend or to be represented, the Board may proceed as if he had duly attended, or had been represented.

44. The sittings of the Board shall be held at such time and place as are from time to time fixed by the chairman, after consultation with the other members of the Board, and the parties shall be notified by the chairman as to the time and place at which sittings are to be held: Provided that, so far as practicable, the Board shall sit in the locality within which the subject-matter of the proceeding before it arose.

45. The proceedings of the Board shall be conducted in public; provided that at any such proceedings before it, the Board, on its own motion, or on the application of any of the parties, may direct that the proceedings shall be conducted in private and that all persons other than the parties, their representatives, the officers of the Board and the witnesses under examination shall withdraw.



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46. The decision of a majority of the members present at a sitting of the Board shall be the decision of the Board, and the findings and recommendations of the majority of its members shall be those of the Board. Majority of Board.

47. The presence of the chairman and at least one other member of the Board shall be necessary to constitute a sitting of the Board. Quorum.

48. In case of the absence of any one member from a meeting of the Board the other two members shall not proceed, unless it is shown that the third member has been notified of the meeting in ample time to admit of his attendance. All members of Board to be present.

2. If any member of a Board dies, or becomes incapacitated, or refuses or neglects to act, his successor shall be appointed in the manner provided with respect to the original member of the Board.

49. The Board may at any time dismiss any matter referred to it which it thinks frivolous or trivial. Trivial matters.

50. The Board may, with the consent of the Minister, employ competent experts or assessors to examine the books or official reports of either party, and to advise it upon any technical or other matter material to the investigation, but shall not disclose such reports or the results of such inspection or examination under this section without the consent of both the parties to the dispute. Employment of experts.

*Remuneration and Expenses of Board.*

51. The members of a Board shall be remunerated for their services as follows:— Remuneration of members of Board.

(a) to members other than the chairman, an allowance of five dollars a day for a time not exceeding three days during which the members may be actually engaged in selecting a third member of the Board;

(b) to each member of the Board, including the chairman, an allowance at the rate of twenty dollars for each day's sitting of the Board and for each day necessarily engaged in travelling from or to his place of residence to attend or after attending a meeting of the Board.

52. No member of the Board shall accept in addition to his salary as a member of the Board any perquisite or gratuity of any kind, from any corporation, association, partnership or individual in any way interested in any matter or thing before or about to be brought before the Board in accordance with the provisions of this Act. The accepting of such perquisite or gratuity by any member of the Board shall be an offence and shall render such member liable to a fine not exceeding one thousand dollars. Acceptance of gratuities and perquisites by members an offence.



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Actual necessary  
travelling ex-  
penses of members  
allowed.

53. Each member of the Board will be entitled to his actual necessary travelling expenses for each day that he is engaged in travelling from or to his place of residence for the purpose of attending or after having attended a meeting of the Board.

Payments of ex-  
penses of Board.

54. All expenses of the Board, including expenses for transportation incurred by the members thereof or by persons under its order in making investigations under this Act, salaries of employees and agents, and fees and mileage to witnesses shall be allowed and paid upon the presentation of itemized vouchers therefor, approved by the chairman of the Board, which vouchers shall be forwarded by the chairman to the Minister. The chairman shall also forward to the Minister a certified and detailed statement of the sittings of the Board, and of the members present at such sittings.

#### DUTIES OF THE REGISTRAR.

To receive and  
deal with applica-  
tions.

55. It shall be the duty of the Registrar:—

(a) to receive and register, and, subject to the provisions of this Act, to deal with all applications by employers or employees for a reference of any dispute to a Board, and to at once bring to the Minister's attention every such application;

Assist in constitut-  
ing Boards

(b) to conduct such correspondence with the parties and members of Boards as may be necessary to constitute any Board as speedily as possible in accordance with the provisions of this Act;

Assist in giving  
effect to recom-  
mendations of  
Boards.

(c) to receive and file all reports and recommendations of Boards, and conduct such correspondence and do such things as may assist in rendering effective the recommendations of the Boards, in accordance with the provisions of this Act;

Register particu-  
lars of proceed-  
ings before Boards  
and safeguard all  
documents relating  
to proceedings.

(d) to keep a register in which shall be entered the particulars of all applications, references, reports and recommendations relating to the appointment of a Board, and its proceedings; and to safely keep all applications, statements, reports, recommendations and other documents relating to proceedings before the Board, and, when so required, transmit all or any of such to the Minister;

Supply informa-  
tion and necessary  
forms relating to  
proceedings before  
Board.

(e) to supply to any parties, on request, information as to this Act, or any regulations or proceedings thereunder, and also to furnish parties to a dispute and members of the Board with necessary blank forms, forms of summons or other papers or documents required in connection with the effective carrying out of the provisions of this Act;

Generally.

(f) generally, to do all such things and take all such proceedings as may be required in the performance of his duties prescribed under this Act or any regulations thereunder.

#### STRIKES AND LOCKOUTS PRIOR TO AND PENDING A REFERENCE TO A BOARD ILLEGAL.

Prohibition of  
strikes or lockouts  
prior to or pend-  
ing reference to  
Board

56. It shall be unlawful for any employer to declare or cause a lockout, or for any employee to go on strike, on account of any dispute prior to or during a reference of such dispute to a Board of Conciliation and Investigation under the provisions



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of this Act, or prior to or during a reference under the provisions concerning railway disputes in the Conciliation and Labour Act: Provided that nothing in this Act shall prohibit the suspension or discontinuance of any industry or of the working of any persons therein for any cause not constituting a lockout or strike: Provided also that, except where the parties have entered into an agreement under section 62 of this Act, nothing in this Act shall be held to restrain any employer from declaring a lockout, or any employee from going on strike in respect of any dispute which has been duly referred to a Board and which has been dealt with under section 24 or 25 of this Act, or in respect of any dispute which has been the subject of a reference under the provisions concerning railway disputes in the Conciliation and Labour Act.

57. Employers and employees shall give at least thirty days' notice of an intended change affecting conditions of employment with respect to wages or hours, and in the event of such intended change resulting in a dispute, until the dispute has been finally dealt with by the Board, neither of the parties affected shall alter the conditions of employment with respect to wages or hours, or on account of the dispute do or be concerned in doing, directly or indirectly, anything in the nature of a lockout or strike, or a suspension or discontinuance of employment or work, but the relationship of employer and employee shall continue uninterrupted by the dispute, or anything arising out of the dispute; but if, in the opinion of the Board, either party uses this or any other provision of this Act for the purpose of unjustly maintaining a given condition of affairs through delay, and the Board so reports to the Minister, such party shall be guilty of an offence, and liable to the same penalties as are imposed for a violation of the next preceding section.

Relation of parties to remain unchanged pending proceedings before a Board.<sup>1</sup>

58. Any employer declaring or causing a lockout contrary to the provisions of this Act shall be liable to a fine of not less than one hundred dollars, nor more than one thousand dollars for each day or part of a day that such lockout exists.

Penalty for causing lockout.

59. Any employee who goes on strike contrary to the provisions of this Act shall be liable to a fine of not less than ten dollars nor more than fifty dollars, for each day or part of a day that such employee is on strike.

Penalty for going on strike.

60. Any person who incites, encourages or aids in any manner any employer to declare or continue a lockout, or any employee to go or continue on strike contrary to the provisions of this Act, shall be guilty of an offence and liable to a fine of not less than fifty dollars nor more than one thousand dollars.

Penalty for inciting to lockout or strike.

61. The procedure for enforcing penalties imposed or authorized to be imposed by this Act shall be that prescribed by Part XV. of *The Criminal Code* relating to summary convictions.

Procedure for enforcing penalties.



## SPECIAL PROVISIONS.

Recommendation  
of a Board binding  
in certain cases.

62. Either party to a dispute which may be referred under this Act to a Board may agree in writing, at any time before or after the Board has made its report and recommendation, to be bound by the recommendation of the Board in the same manner as parties are bound upon an award made pursuant to a reference to arbitration on the order of a court of record; every agreement so to be bound made by one party shall be forwarded to the Registrar who shall communicate it to the other party, and if the other party agrees in like manner to be bound by the recommendation of the Board, then the recommendation shall be made a rule of the said court on the application of either party and shall be enforceable in like manner.

Application of  
provisions of this  
Act to any dispute  
on joint applica-  
tion of parties.

63. In the event of a dispute arising in any industry or trade other than such as may be included under the provisions of this Act, and such dispute threatens to result in a lockout or strike, or has actually resulted in a lockout or strike, either of the parties may agree in writing to allow such dispute to be referred to a Board of Conciliation and Investigation, to be constituted under the provisions of this Act.

2. Every agreement to allow such reference shall be forwarded to the Registrar, who shall communicate it to the other party, and if such other party agrees in like manner to allow the dispute to be referred to a Board, the dispute may be so referred as if the industry or trade and the parties were included within the provisions of this Act.

3. From the time that the parties have been notified in writing by the Registrar that in consequence of their mutual agreement to refer the dispute to a Board under the provisions of this Act, the Minister has decided to refer such dispute, the lockout or strike, if in existence, shall forthwith cease, and the provisions of this Act shall bind the parties.

## [ MISCELLANEOUS.

Courts not to re-  
cognize reports of  
or testimony be-  
fore a Board,  
except in prosecu-  
tions for perjury.

64. No court of the Dominion of Canada, or of any province or territory thereof, shall have power or jurisdiction to recognize or enforce, or to receive in evidence any report of a Board, or any testimony or proceedings before a Board, as against any person or for any purpose, except in the case of a prosecution of such person for perjury.

Technicality not  
to invalidate  
proceedings.

65. No proceeding under this Act shall be deemed invalid by reason of any defect of form or any technical irregularity.

Payment of ser-  
vices under Act.

66. The Minister shall determine the allowance or amounts to be paid to all persons other than the members of a Board, employed by the Government or any Board, including the Registrar, secretaries, clerks, experts, stenographers or other persons performing any services under the provisions of this Act.



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67. In case of prosecutions under this Act, whether a conviction is or is not obtained, it shall be the duty of the clerk of the court before which any such prosecution takes place to briefly report the particulars of such prosecution to the Registrar within thirty days after it has been determined, and such clerk shall be entitled to a prescribed fee in payment of his services.

Prosecutions  
under Act to be  
reported to  
Registrar.

68. The Governor in Council may make regulations as to the time within which anything hereby authorized shall be done, and also as to any other matter or thing which appears to him necessary or advisable to the effectual working of the several provisions of this Act. All such regulations shall go into force on the day of the publication thereof in *The Canada Gazette*, and they shall be laid before Parliament within fifteen days after such publication, or, if Parliament is not then in session, with fifteen days after the opening of the next session thereof.

Minister may  
make, alter and  
amend regulations.

69. All charges and expenses incurred by the Government in connection with the administration of this Act shall be defrayed out of such appropriations as are made by Parliament for that purpose.

Expenses.

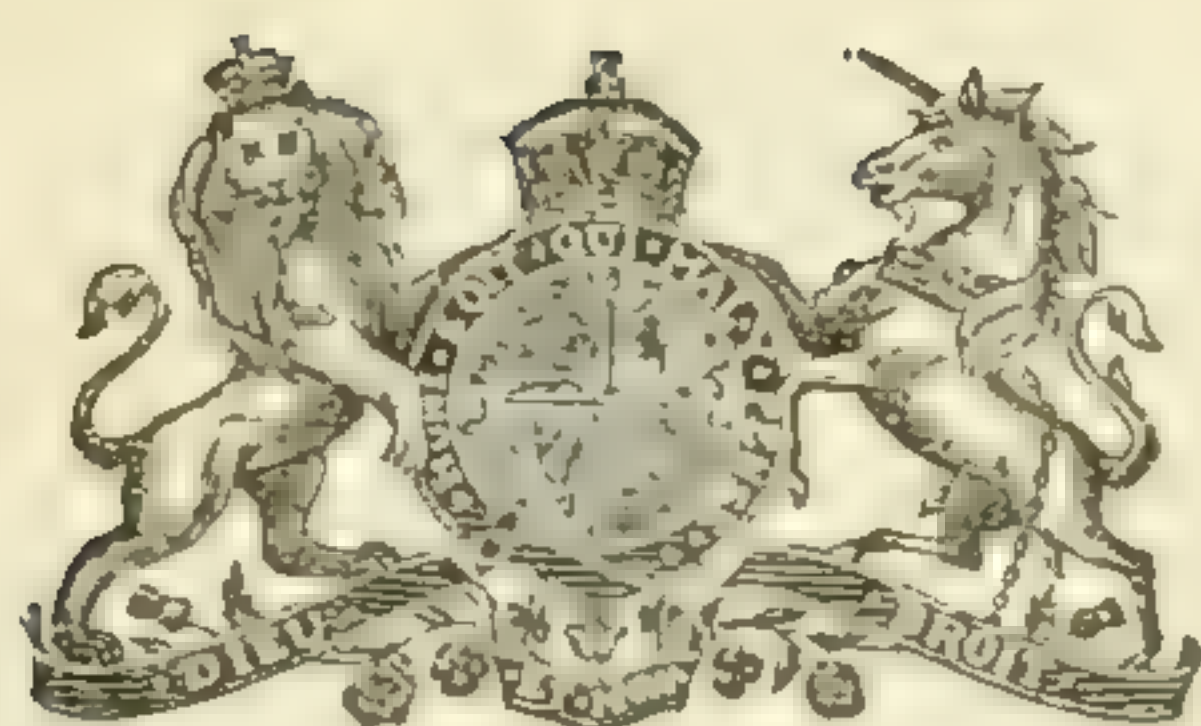
70. An annual report with respect to the matters transacted by him under this Act shall be made by the Minister to the Governor General, and shall be laid before Parliament within the first fifteen days of each session thereof.

Report to Parliament.









## 9-10 EDWARD VII.

### CHAP. 9.

#### An Act to provide for the investigation of Combines, Monopolies, Trusts and Mergers.

[Assented to 4th May, 1910.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. This Act may be cited as *The Combines Investigation Act*. Short title.

#### INTERPRETATION.

2. In this Act, unless the context otherwise requires,—

Definitions.

(a) “application” means an application to a judge for an order directing an investigation under the provisions of this Act;

“Application.”

(b) “Board” means a Board of Investigation established under the provisions of this Act;

“Board.”

(c) “combine” means any contract, agreement, arrangement or combination which has, or is designed to have, the effect of increasing or fixing the price or rental of any article of trade or commerce or the cost of the storage or transportation thereof, or of the restricting competition in or of controlling the production, manufacture, transportation, storage, sale or supply thereof, to the detriment of consumers or producers of such article of trade or commerce, and includes the acquisition, leasing or otherwise taking over, or obtaining by any person to the end aforesaid, of any control over or interest in the business, or any portion of the business, of any other person, and also includes what is known as a trust, monopoly or merger;

“Combine.”

(d) “Department” means the Department of Labour;

“Department.”

(e) “judge” means, in the Province of Ontario, any judge of the High Court of Justice; in the Province of Quebec, any judge of the Superior Court; in the Provinces of Nova Scotia,

“Judge.”



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New Brunswick, British Columbia, Prince Edward Island, Saskatchewan and Alberta, any judge of the Supreme Court; in the Province of Manitoba, any judge of the Court of King's Bench, and in the Yukon territory, any judge of the Territorial Court;

- "Minister." (f) "Minister" means the Minister of Labour;
- "Order." (g) "order" means an order of a judge under the provisions of this Act;
- "Prescribed." (h) "prescribed" means prescribed by this Act, or by any rule or regulation made thereunder;
- "Registrar." (i) "Registrar" means the Registrar of Boards of Investigation appointed under this Act.

## ADMINISTRATION.

Administration. 3. The Minister shall have the general administration of this Act.

Registrar of Boards. 4. The Governor in Council shall appoint a Registrar of Boards of Investigation, who shall have the powers and perform the duties prescribed.

Appointment and tenure of office. 2. The office of Registrar may be held either separately or in conjunction with any other office in the public service, and in the latter case the Registrar may, if the Governor in Council thinks fit, be appointed by reference to such other office, whereupon the person who for the time being holds such office or performs its duties shall, by virtue thereof and without thereby being entitled to any additional remuneration, be the Registrar.

## ORDER FOR INVESTIGATION.

Order for investigation. 5. Where six or more persons, British subjects resident in Canada and of full age, are of the opinion that a combine exists, and that prices have been enhanced or competition restricted by reason of such combine, to the detriment of consumers or producers, such persons may make an application to a judge for an order directing an investigation into such alleged combine.

Application for order. 2. Such application shall be in writing addressed to the judge, and shall ask for an order directing an investigation into the alleged combine, and shall also ask the judge to fix a time and place for the hearing of the applicants or their representative.

Form of application. 3. The application shall be accompanied by a statement setting forth,—

(a) the nature of the alleged combine and the persons believed to be concerned therein;

(b) the manner in which the alleged combine affects prices or restricts competition, and the extent to which the alleged combine is believed to operate to the detriment of consumers or producers;



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(c) the names and addresses of the parties making the application and the name and address of one of their number or of some other person whom they authorize to act as their representative for the purposes of this Act and to receive communications and conduct negotiations on their behalf.

4. The application shall also be accompanied by a statutory declaration from each applicant declaring that the alleged combine operates to the detriment of the declarant as a consumer or producer, and that to the best of his knowledge and belief the combine alleged in the statement exists and that such combine is injurious to trade or has operated to the detriment of consumers or producers in the manner and to the extent described, and that it is in the public interest that an investigation should be had into such combine.

Declaration of applicants.

6. Within thirty days after the judge receives the application he shall fix a time and place for hearing the applicants and shall send due notice, by registered letter, to the representative authorized by the statement to receive communications on behalf of the applicants. At such hearing the applicants may appear in person or by their representative or by counsel.

Hearing of application.

7. If upon such hearing the judge is satisfied that there is reasonable ground for believing that a combine exists which is injurious to trade or which has operated to the detriment of consumers or producers, and that it is in the public interest that an investigation should be held, the judge shall direct an investigation under the provisions of this Act; or if not so satisfied, and the judge is of opinion that in the circumstances an adjournment should be ordered, the judge may adjourn such hearing until further evidence in support of the application is given, or he may refuse to make an order for an investigation.

Order for investigation by judge.

Adjournment for further evidence.

2. The judge shall have all the powers vested in the court of which he is a judge to summon before him and enforce the attendance of witnesses, to administer oaths, and to require witnesses to give evidence on oath or on solemn affirmation (if they are persons entitled to affirm in civil matters), and to produce such books, papers or other documents or things as the judge deems requisite.

Powers of judge.

8. The order of the judge directing an investigation shall be transmitted by him to the Registrar by registered letter, and shall be accompanied by the application, the statement, a certified copy of any evidence taken before the judge, and the statutory declarations. The order shall state the matters to be investigated, the names of the persons alleged to be concerned in the combine, and the names and addresses of one or more of their number with whom, in the opinion of the judge, the Minister should communicate in order to obtain the recommendation for the appointment of a person as a member of the Board as hereinafter provided.

Transmission of order and evidence to Registrar.



## APPOINTMENT OF BOARDS.

Appointment of Board.

9. Upon receipt by the Registrar of the order directing an investigation the Minister shall forthwith proceed to appoint a Board

Constitution of Board.

10. Every Board shall consist of three members, who shall be appointed by the Minister under his hand and seal of office.

Members of Board.

11. Of the three members of the Board one shall be appointed on the recommendation of the persons upon whose application the order has been granted, one on the recommendation of the persons named in the order as being concerned in the alleged combine, and the third on the recommendation of the two members so chosen.

Recommendation of third member.

12. The persons upon whose application the order has been granted and the persons named in the order as being concerned in the alleged combine, within seven days after being requested so to do by the Registrar, may each respectively recommend the name of a person who is willing and ready to act as a member of the Board, and the Minister shall appoint such persons members of the Board.

Communications with representatives of parties.

2. For the purpose of obtaining the recommendations referred to in subsection 1 of this section it shall be sufficient as respects the applicants, for the Registrar to communicate with the representative mentioned in the statement as authorized to receive communications on their behalf, and as respects the persons concerned in the alleged combine it shall be sufficient for the Registrar to communicate with the persons named in the order, as the persons with whom the Minister should communicate for this purpose

When Minister may select members.

3. If the parties, or either of them, fail or neglect to make any recommendation within the said period, or such extension thereof as the Minister, on cause shown, grants, the Minister shall, as soon thereafter as possible, select and appoint a fit person or persons to be a member or members of the Board.

Recommendation and appointment of a judge as third member.

4. The two members so appointed may, within seven days after their appointment, recommend the name of a judge of any court of record in Canada, who is willing and ready to act as a third member of the Board, and the Minister shall appoint such judge as a member of the Board, and if they fail or neglect to make a recommendation within the said period, or such extension thereof as the Minister on cause shown grants, the Minister shall, as soon thereafter as possible, select and appoint a judge of any court of record in Canada to be the third member of the Board.

Chairman.

5. The third member of the Board shall be its chairman.

Vacancies.

6. A vacancy in the membership of a Board shall be filled in the same manner as an original appointment is made.



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13. No person shall act as a member of the Board who is one of the applicants for the Board or who has any direct pecuniary interest in the alleged combine that is the subject of investigation by such Board, or who is not a British subject.

Persons disqualified as members.

14. As soon as possible after all the members of the Board have been appointed by the Minister, the Registrar shall notify the parties of the names of the chairman and other members of the Board.

Notice of personnel of Board.

15. Before entering upon the exercise of the functions of their office, the members of the Board shall take the following oath:—

Oath of office.

I, ....., do solemnly swear,—

That I will truly, faithfully and impartially perform my duties as a member of the Board appointed to investigate....

That I am a British subject.

That I have no direct pecuniary interest in the alleged combine that is to be the subject of investigation.

That I have not received nor will I accept either directly or indirectly any perquisite, gift, fee or gratuity from any person in any way interested in any matter or thing to be investigated by the Board.

That I am not immediately connected in business with any of the parties applying for this investigation, and am not acting in collusion with any person herein.

16. The Department may provide the Board with a stenographer and such clerical and other assistance as to the Minister appears necessary for the efficient carrying out of the provisions of this Act. The Department shall also repay any reasonable and proper disbursements made or authorized and certified by the judge who grants the order directing the investigation.

Clerical assistance to Board.

Disbursements.

17. Upon the appointment of the Board the Registrar shall forward to the chairman copies of the application, statement, evidence, if any, taken before the judge, and order for investigation, and the Board shall forthwith proceed to deal with the matters referred to therein.

Commencement of investigation.

## INQUIRY AND REPORT.

18. The Board shall expeditiously, fully and carefully inquire into the matters referred to it and all matters affecting the merits thereof, including the question of whether or not the price or rental of any article concerned has been unreasonably enhanced, or competition in the supply thereof unduly restricted, in consequence of a combine, and shall make a full and detailed report thereon to the Minister, which report shall set forth the various proceedings and steps taken by the Board for the purpose of fully and carefully ascertaining all the facts and circumstances connected with the alleged combine, includ-

Inquiry.

Report to Minister.



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ing such findings and recommendations as, in the opinion of the Board, are in accordance with the merits and requirements of the case.

Scope of investigation.

2. In deciding any question that may affect the scope or extent of the investigation, the Board shall consider what is required to make the investigation as thorough and complete as the public interest demands.

Report of Board.

19. The Board's report shall be in writing, and shall be signed by at least two of the members of the Board. The report shall be transmitted by the chairman to the Registrar, together with the evidence taken at such investigation certified by the chairman, and any documents and papers remaining in the custody of the Board. A minority report may be made and transmitted to the Registrar by any dissenting member of the Board.

Minority report.

Publication of reports.

20. Upon receipt of the Board's report and of the minority report, if any, a copy thereof shall be sent free of charge to the parties and to the representative of any newspaper in Canada who applies therefor, and the report and minority report, if any, shall also be published without delay in *The Canada Gazette*. The Minister may distribute copies of the report, and of any minority report, in such manner as to him seems most desirable, as a means of securing a compliance with the Board's recommendations. The Registrar shall, upon payment of such fees as may be prescribed, supply a certified copy of any report or minority report to any person applying for it.

Distribution of copies.

Fee for certified copies.

Reduction of Customs duties to secure reasonable competition.

21. Whenever, from or as a result of an investigation under the provisions of this Act, or from or as a result of a judgment of the Supreme Court or Exchequer Court of Canada or of any superior court, or circuit, district or county court in Canada, it appears to the satisfaction of the Governor in Council that with regard to any article there exists any combine to promote unduly the advantage of the manufacturers or dealers at the expense of the consumers, and if it appears to the Governor in Council that such disadvantage to the consumer is facilitated by the duties of customs imposed on the article, or on any like article, the Governor in Council may direct either that such article be admitted into Canada free of duty or that the duty thereon be reduced to such amount or rate as will, in the opinion of the Governor in Council, give the public the benefit of reasonable competition.

Revocation of patent in certain cases.

22. In case the owner or holder of any patent issued under *The Patent Act* has made use of the exclusive rights and privileges which, as such owner or holder he controls, so as unduly to limit the facilities for transporting, producing, manufacturing, supplying, storing or dealing in any article which may be a subject of trade or commerce, or so as to restrain or injure trade or commerce in relation to any such article, or unduly to prevent, limit or lessen the manufacture



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or production of any article or unreasonably to enhance the price thereof, or unduly to prevent or lessen competition in the production, manufacture, purchase, barter, sale, transportation, storage or supply of any article, such patent shall be liable to be revoked. And, if a Board reports that a patent has been so made use of, the Minister of Justice may exhibit an information in the Exchequer Court of Canada praying for a judgment revoking such patent, and the court shall thereupon have jurisdiction to hear and decide the matter and to give judgment revoking the patent or otherwise as the evidence before the court may require.

Jurisdiction of  
Exchequer Court.

23. Any person reported by a Board to have been guilty of unduly limiting the facilities for transporting, producing, manufacturing, supplying, storing or dealing in any article which may be a subject of trade or commerce; or of restraining or injuring trade or commerce in relation to any such article; or of unduly preventing, limiting or lessening the manufacture or production of any such article; or of unreasonably enhancing the price thereof; or of unduly preventing or lessening competition in the production, manufacture, purchase, barter, sale, transportation, storage or supply of any such article, and who thereafter continues so to offend, is guilty of an indictable offence, and shall be liable to a penalty not exceeding one thousand dollars and costs for each day after the expiration of ten days, or such further extension of time as in the opinion of the Board may be necessary, from the date of the publication of the report of the Board in *The Canada Gazette* during which such person so continues to offend.

Combines restrict-  
ing manufacture,  
trade or competi-  
tion.

Penalty.

## SITTINGS OF BOARD.

24. The sittings of the Board shall be held at such times and places as are fixed by the chairman, after consultation with the other members of the Board, and the parties shall be notified by the chairman as to the times and places at which sittings are to be held: Provided that, so far as practicable, the Board shall sit in the locality within which the subject-matter of the proceedings before it arose.

Sittings of Board.

25. The proceedings of the Board shall be conducted in public, but the Board may order that any portion of the proceedings shall be conducted in private.

Proceedings.

26. The decision of any two of the members present at a sitting of the Board shall be the decision of the Board.

Decisions.

27. The presence of the chairman and at least one other member of the Board shall be necessary to constitute a sitting of the Board.

Quorum.

28. In case of the absence of any one member from a meeting of the Board the other two members shall not proceed, unless it is shown that the absent member has been notified of the meeting in ample time to admit of his attendance.

Absence of  
member.



Appearance of parties.

29. Any party to an investigation may appear before the Board in person or may be represented by any other person or persons, or, with the consent of the Board, may be represented by counsel.

When counsel appointed by Minister.

30. Whenever in the opinion of the Minister the public interest so requires, the Minister may apply to the Minister of Justice to instruct counsel to conduct the investigation before a Board, and upon such application the Minister of Justice may instruct counsel accordingly. The fees and expenses allowed to such counsel by the Minister of Justice shall be paid out of such appropriations as are made by Parliament to provide for the cost of administering this Act.

Fees.

Contempt of Board.

31. If, in any proceedings before the Board, any person wilfully insults any member of the Board, or wilfully interrupts the proceedings, or without good cause refuses to give evidence, or is guilty in any other manner of any wilful contempt in the face of the Board, any officer of the Board or any constable may take the person offending into custody and remove him from the precincts of the Board, to be detained in custody until the conclusion of that day's sitting of the Board, and the person so offending shall be liable, upon summary conviction, to a penalty not exceeding one hundred dollars.

Penalty.

#### WITNESSES AND EVIDENCE.

Witnesses and evidence.

32. For the purposes of an investigation the Board shall have all powers which are vested in any court of record in civil cases for the following purposes, namely: the summoning of witnesses before it, and enforcing their attendance from any part of Canada, of administering oaths, and of requiring witnesses to give evidence on oath or on solemn affirmation (if they are persons entitled to affirm in civil matters) and to produce such books, papers or other documents or things as the Board deems requisite to the full investigation of the matters into which it is inquiring.

Oath.

2. Any member of the Board may administer an oath.

Signature of chairman.

3. Summonses to witnesses and all other orders, process and proceedings shall be signed by the chairman.

Inspection of documents.

33. All books, papers and other documents or things produced before the Board, whether voluntary or in pursuance of summons, may be inspected by the Board, and also by such parties as the Board allows.

Parties as witnesses.

34. Any party to the proceedings shall be competent and may be compelled to give evidence as a witness.

Expenses of witnesses.

35. Every person who is summoned and duly attends as a witness shall be entitled to an allowance for attendance and travelling expenses according to the scale in force with respect to witnesses in civil suits in the superior courts of the province in which the inquiry is being conducted.



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36. If any person who has been duly served with a summons and to whom at the time of service payment or tender has been made of his reasonable travelling expenses according to the aforesaid scale, fails to attend or to produce any book, paper or other document or thing as required by his summons, he shall, unless he shows that there was good and sufficient cause for such failure, be guilty of an offence and liable upon summary conviction to a penalty not exceeding one hundred dollars.

Failure of witness to attend or to produce documents.

Penalty.

37. The Board may, with the consent of the Minister, employ competent experts to examine books or official reports, and to advise it upon any technical or other matter material to the investigation, but the information obtained therefrom shall not, except in so far as the Board deems it expedient, be made public, and such parts of the books, papers or other documents as in the opinion of the Board are not material to the investigation may be sealed up.

Experts.

## REMUNERATION AND EXPENSES OF BOARD.

38. The members of a Board shall be remunerated for their services as follows:—

Remuneration of Board.

(a) To the two members first appointed an allowance of five dollars each per day for a time not exceeding three days during which they may be actually engaged in selecting the third member of the Board.

(b) To each member an allowance at the rate of twenty dollars for each day's sitting of the Board.

39. Each member of the Board shall be entitled to his actual and necessary travelling expenses and an allowance of ten dollars per day for each day that he is engaged in travelling from or to his place of residence for the purpose of attending or after having attended a meeting of the Board.

Travelling expenses.

40. No member of the Board shall accept in addition to his travelling expenses and allowances as a member of the Board any perquisite, gift, fee or gratuity of any kind from any person in any way interested in any matter or thing that is being investigated by the Board. The acceptance of any such perquisite, gift, fee or gratuity by any member of the Board shall be an offence, and shall render such member liable upon summary conviction to a fine not exceeding one thousand dollars, and he shall thereafter be disqualified to act as a member of any Board.

Acceptance of gratuity prohibited.

Penalty.

41. All expenses of the Board, including expenses for transportation incurred by the members thereof or by persons under its order in making investigations under this Act, salaries of employees and agents, and fees and travelling expenses of witnesses, shall be allowed and paid upon the presentation of itemized vouchers therefor, approved and certified by the chairman of the Board, which vouchers shall be forwarded by the

Vouchers for expenses.



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Detailed state-  
ment of sittings.

chairman to the Registrar. The chairman shall also forward to the Registrar a certified and detailed statement of the sittings of the Board, and of the members present at each of such sittings.

## MISCELLANEOUS.

Technical  
irregularities.

42. No proceedings under this Act shall be deemed invalid by reason of any defect of form or any technical irregularity.

Evidence of report.

43. Evidence of a report of a Board may be given in any court by the production of a copy of *The Canada Gazette* purporting to contain a copy of such report, or by the production of a copy of the report purporting to be certified by the Registrar to be a true copy.

Allowances de-  
termined by  
Minister.

44. The Minister shall determine the allowance or amounts to be paid to all persons, other than the members of the Board, employed by the Government or any Board, including the secretaries, clerks, experts, stenographers or other persons performing any services under the provisions of this Act.

Regulations by  
Governor-in-  
Council.

45. The Governor in Council may make such regulations, not inconsistent with this Act, as to him seem necessary for carrying out the provisions of this Act and for the efficient administration thereof.

Publication.

2. Such regulations shall be published in *The Canada Gazette*, and upon being so published they shall have the same force as if they formed part of this Act.

To be laid before  
Parliament.

3. The regulations shall be laid before both Houses of Parliament within fifteen days after such publication if Parliament is then sitting, and if Parliament is not then sitting then within fifteen days after the opening of the next session thereof.

Annual report to  
Parliament.

46. The Minister shall lay before Parliament, within the first fifteen days of the then next session, an annual report of the proceedings under this Act.

1907, c. 11  
amended.

47. Subsection 1 of section 12 of *The Customs Tariff*, 1907, is repealed.

R.S., c. 125.

48. This Act shall not be construed to repeal, amend or in any way affect *The Trade Unions Act*, chapter 125 of the Revised Statutes, 1906.



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## SCHEDULE.

## FORM 1.

## APPLICATION FOR ORDER DIRECTING AN INVESTIGATION.

“The Combines Investigation Act.”

(Section 5.)

Dated at ..... this  
 ..... day of ....., 19..

IN THE MATTER of an alleged combine (*here state shortly the nature of the combine.*)

To the Honourable (*here insert the name of the judge*), a Judge (*or, Chief Justice as the case may be*) of the (*here insert the title of the court.*)

The undersigned are of opinion that a combine exists (*here state shortly the nature of the alleged combine*) and that prices have been enhanced (*or, competition has been restricted by such combine, as the case may be*) to the detriment of consumers (*or, producers, as the case may be.*)

The undersigned therefore apply for an order under “The Combines Investigation Act” directing an investigation into such alleged combine.

(*Here state—*

(a) *the nature of the alleged combine and the persons believed to be concerned therein; and,*

(b) *the manner in which the alleged combine affects prices or restricts competition, and the extent to which the alleged combine is believed to operate to the detriment of consumers or producers, as the case may be.*)

## STATEMENT ACCOMPANYING APPLICATION FOR ORDER.

Dated at ..... this  
 ..... day of ....., 19..

The undersigned hereby authorize ..... of ..... (*give name and place of residence*) to act as our representative for the purposes of “The Combines Investigation Act,” and to receive communications and conduct negotiations on our behalf.



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The names and addresses of the persons applying for the aforesaid order are as follows:—

Names.	Addresses.

STATUTORY DECLARATION ACCOMPANYING APPLICATION FOR ORDER.\*

CANADA: }  
Province of ..... }  
To Wit. }

I, ....., of the ..... of .....  
in the ..... of .....  
do solemnly declare:—

- 1. That the alleged combine operates to my detriment as a consumer (*or, producer, as the case may be.*)
- 2. That to the best of my knowledge and belief the combine alleged in the foregoing statement exists and that such combine is injurious to trade (*or, has operated to the detriment of consumers, or, producers, as the case may be*) in the manner and to the extent described.
- 3. That it is in the public interest that an investigation should be had into such combine.

And I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of The Canada Evidence Act.

Declared before me at ..... in the county of ..... this ..... day of ..... 19..

FORM 2.

ORDER DIRECTING INVESTIGATION.

“The Combines Investigation Act.”  
(Section 7.)

IN THE MATTER of the application of (*here insert the names of applicants*), dated the.....day of.....19...

\*A declaration as above must be made by each applicant.



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for an order directing an investigation under "The Combines Investigation Act" into an alleged combine (*here state shortly the nature of the combine*).

I, the Honourable .....  
 a Judge (or, Chief Justice, *as the case may be*) of (*here insert the name of court*) after having read the application of (*names of applicants*), dated the.....day of.....19.., the statement and statutory declarations accompanying the same and the evidence produced by the said applicants, am satisfied that there is reasonable ground for believing that a combine exists (*here describe nature of combine*) which is injurious to trade (or, which has operated to the detriment of consumers, or, producers, *as the case may be*), and that it is in the public interest that an investigation should be held, and I do therefore direct that an investigation be held, under the provisions of the said Act into the following matters, that is to say: (*here set out the matters to be investigated.*)

The names of the persons alleged to be concerned in the alleged combine are (*here insert names and addresses*) and I am of opinion that the Minister of Labour should communicate with (*here insert the name or names, with, in each case, the address*) in order to obtain the recommendation for the appointment of a person as a member of the Board of Investigation on behalf of those concerned in the said alleged combine.

Dated at ..... this ..... day of ..... 19..



















